#### SOUTH CAROLINA

Ralph R. Blakely to be postmaster at Clinton, S. C., in place of A. J. Milling, removed.

Conway Dial to be postmaster at Cross Hill, S. C., in place of J. W. Hanna. Incumbent's commission expired March 30, 1930.

#### TENNESSEE

Fred H. Smith to be postmaster at Concord, Tenn., in place of S. S. Proffitt. \*Incumbent's commission expired February 26, 1930

Aileen S. Campbell to be postmaster at Decatur, Tenn., in

place of W. F. Campbell, resigned. Alexander H. Hill to be postmaster at Harrogate, Tenn., in place of John Herd. Incumbent's commission expired January 29, 1930.

#### TEXAS

Cloy B. Friday to be postmaster at Tivoli, Tex., in place of L. B. Friday, deceased.

Bert J. McDowell to be postmaster at Del Rio, Tex., in place of B. J. McDowell. Incumbent's commission expired June 7,

#### VIRGINIA

Theron W. Hamilton to be postmaster at Cheriton, Va., in place of J. C. Huff. Incumbent's commission expired April 1,

#### WISCONSIN

James W. Squire to be postmaster at Soperton, Wis., in place of J. W. Squire. Incumbent's commission expires July 2, 1930. Harold F. Strutt to be postmaster at Ridgeway, Wis., in place of James Kelly. Incumbent's commission expired June 23, 1930.

# HOUSE OF REPRESENTATIVES

# FRIDAY, June 27, 1930

The House met at 12 o'clock noon, The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God of the morning and father of the night, alas for this We hear the drumbeat of that dullest march which is taking us on. Another Member of this Chamber will answer to the roll call no more. With his wealth of thought and with his richer wealth of love, he has taken his homeward flight. His sublime task is completed. The great and loving God who pours forth his full tides of treasure has made the grave iron on one side but beaten gold on the other. We loved him, Father, for his was the measure of full manhood; his was the real grace of character, for he forgot the things that disturb the harmonies of the Christian life. Soften the sorrow that surges about the hearts of the fireside and point them above to the eternal empire of a loving Father. O let our lives be deluged with goodness until God shall make all things new. Fill our hearts to-day with hope and resignation. Through Jesus Christ our Lord.

The Journal of the proceedings of yesterday was read and approved.

# MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 4657. An act to amend sections 17 and 27 of the general leasing act of February 25, 1920 (41 Stat. 437; U. S. C., title 30, sec. 226), as amended.

The message also announced that the Senate had passed, without amendment, bills of the House of the following titles:

H. R. 1110. An act for the relief of heirs of Warren C. Vesta; H. R. 3553. An act for the relief of the heirs of I. L. Kleinman; H. R. 3592. An act to further amend section 37 of the national defense act of June 4, 1920, as amended by section 2 of the act of September 22, 1922, so as to more clearly define the status of reserve officers not on active duty or on active duty for train-

H. R. 4206. An act authorizing the Secretary of the Navy, in his discretion, to loan to the city of Olympia, State of Washington, the silver service set formerly in use on the U. S. cruiser Olympia;

H. R. 9408. An act to amend the act of March 3, 1917. an act making appropriations for the general expenses of the District

of Columbia; H. R. 9638. An act to establish a branch home of the National Home for Disabled Volunteer Soldiers in one of the northwest Pacific States; H. R. 10490. An act for the relief of Flossie R. Blair;

H. R. 11409. An act to authorize the erection of a tablet in the Fort Sumter Military Reservation to the memory of the garrison at Fort Sumter during the siege of 1861;

H. R. 11729. An act to legalize a pier and wharf at the south-

erly end of Port Jefferson Harbor, N. Y.; H. R. 12285. An act to authorize the Postmaster General to

purchase motor-truck parts from the truck manufacturer; H. R. 12599. An act to amend section 16 of the radio act of 1927; and

H. R. 12967. An act granting certain land to the city of Dunkirk, Chautauqua County, N. Y., for street purposes.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 4189. An act to add certain lands to the Boise National

Forest; and

H. R. 12235. An act to provide for the creation of the Colonial National Monument in the State of Virginia, and for other

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 215) entitled "An act to amend section 13 of the act of March 4, 1923, entitled 'An act to provide for the classification of civilian positions within the District of Columbia and in the field services,' as amended by the act of May 28, 1928," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Dale, Mr. Brookhart, and Mr. McKellar to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to the concurrent resolution (S. Con. Res. 22) entitled "Concurrent resolution to print and bind additional copies of Senate Document No. 166, Seventieth Congress,

entitled 'Interstate Commerce Act, Annotated.'

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9803) entitled "An act to amend the fourth proviso to section 24 of the immigration act of 1917, as amended," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Johnson, Mr. Reed, and Mr. HARRIS to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 6227) entitled "An act for the relief of Elizabeth Lynn," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Howell, Mr. Mc-MASTER, and Mr. BLACK to be the conferees on the part of the

The message also announced that the Senate insists upon its amendments to the bill (H. R. 2222) entitled "An act for the relief of Laurin Gosney," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOWELL, Mr. Mc-MASTER, and Mr. BLACK to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 531) entitled "An act for the relief of John Maika," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Howell, Mr. McMaster, and Mr. Black to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6) entitled "An act to amend the definition of oleomargarine contained in the act entitled 'An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine,' approved August 2, 1886, as amended."

## JAMES KIMBLE VARDAMAN

Mr. RANKIN. Mr. Speaker, it becomes my sad duty to announce to the House the death of the Hon. James Kimble Vardaman, formerly a Senator from the State of Mississippi, who passed away in Birmingham, Ala., on June the 25th.

Senator Vardaman was born near Edna, Jackson County, Tex., on July 26, 1861. His parents were from Mississippi, to which

State the family returned in 1868.

Young Vardaman grew up in the shadows of the Civil War, his father having been a soldier in the Confederate Army. was educated in the school of hard experience during the dark and trying times of reconstruction. He studied law at odd times and was early admitted to the bar, but later turned to journalism and for many years was one of the leading editors of the State.

He served as a member of the legislature for several terms. In 1894 he was elected Speaker of the House, which position he filled with honor and distinction.

When the Spanish-American War broke out he left a wife and four small children to respond to the call of his country. He was commissioned captain by President McKinley and was promoted to the rank of major before the war closed.

In 1903 he was elected governor of his State, in which capacity he served for four years. His administration stands out conspicuously as one of the cleanest and most economical in all the

history of Mississippi.

He was elected to the Senate in 1911 by a majority of more than 26,000 over two of the strongest men in the State. He entered the Senate in 1913 and served with distinction in that august bedy until March 4, 1919.

He was one of the most picturesque figures this country has yet produced, and was undoubtedly the most popular individual who has lived in Mississippi within the last half a century.

He was one of the most loyal friends I have ever known. As was once said of Robert E. Lee, "He was a friend without treachery and a public officer without vices" He spurned with contempt any overtures that were even tainted with the appearance of evil. His honesty was indeed above reproach. So much so that during the stormy years of his political career even his enemies vouched for his integrity.

He was one of the most courageous men, both morally and

physically, it has ever been my privilege to know.

He loved the people of Mississippi and they loved him. loved the traditions of his State and gloried in her great record and in the achievements of her distinguished men. He loved his country and fought for what he thought was the best interest of the American people and American institutions, regardless of the consequences

He was one of the most devoted patriots who ever stood be-

neath the folds of the American flag.

I have seen him in the pride and strength of his manhood battling for what he thought was right, challenging the admiration

of both friends and foes.

I have seen him in the days of his adversity, when the clouds were low, the night was dark, when the storm was fierce and "the stars were dead," but I never saw him falter or refuse to walk the beaten path of duty as God gave him the wisdom to see it.

> He was a man, take him for all in all, I shall not look upon his like again.

## PERSONAL EXPLANATION

Mr. FREAR. Mr. Speaker, I omitted to state yesterday that the gentleman from Wisconsin [Mr. Nelson] was unavoidably absent, but wished to be recorded in favor of the Johnson bill.

# RODUCTION OF FOREST PRODUCTS IN NORTHERN MINNESO

Mr. PURNELL, by direction of the Committee on Rules, presented the following privileged resolution (H. Res. 277), which was referred to the House Calendar and ordered printed:

## House Resolution 277

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 2498, an act to promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Public Lands, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion, except one motion to recommit.

## PROCEDURE IN IMPEACHMENT CASES

Mr. PURNELL, by direction of the Committee on Rules, presented the following privileged report (H. Con. Res. 41), which was referred to the House Calendar and ordered printed:

# House Concurrent Resolution 41

Resolved by the House of Representatives (the Senate concurring), That there is hereby created a joint committee to be composed of three Senators, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The committee is authorized and directed to make a study of the procedure followed by the House of Representatives, and by the Senate, in the exercise of their respective

functions in impeachment cases, with a view to determining whether such procedure may be improved. The committee may sit at such times and places as it deems advisable, and shall report its findings to the Congress, including in such report such recommendations as it may deem advisable. Upon the filing of such report the committee shall cease to exist.

Mr. GARNER. Mr. Speaker, may I ask the gentleman when he expects to call up this last resolution?

Mr. PURNELL. I can not answer that question now. It is not expected it will be called up within the next few days

Mr. GARNER. The gentleman probably will not call it up

Mr. PURNELL. Probably not.

CONFERENCE REPORT-COLONIAL NATIONAL MONUMENT IN THE STATE OF VIRGINIA

Mr. COLTON. Mr. Speaker, I call up the conference report on the bill (H. R. 12235) to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes, and ask unanimous consent that the statement of the managers may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Utah asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

Mr. GARNER. Mr. Speaker, I do not intend to object, but want to inquire about procedure. I understood the gentleman from West Virginia to make the suggestion yesterday that as much of to-day as possible be devoted to the Private Calendar. I do not know how long this statement is or how long it will take to consider the conference report, which is a privileged matter, but I am wondering if there are many more conference reports or matters that must be attended to this morning.

The SPEAKER. The Chair is not aware of any others. Mr. COLTON. The statement is very brief. Mr. CHINDBLOM. Mr. Speaker, along the line of the suggestion of the gentleman from Texas, would it not be sufficient in this case if the chairman would make a brief statement, and dispense with the reading of the statement accompanying the conference report?

Mr. COLTON. The statement is very brief, less than half a

The SPEAKER. The Chair is informed the statement is very short. The Clerk will read the statement.

The Clerk read the statement.

The conference report and statement are as follows:

## CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12235) entitled "An act to provide for the creation of the Colonial National Monument in the State of Virginia," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows

That the Senate recede from its amendment numbered 4. That the House recede from its disagreement to the amend-

ments of the Senate numbered 1, 2, and 5, and agree to the same. Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Strike out the words "two thousand" in said engrossed amendment and insert in lieu thereof the words "two thousand five hundred"; and the Senate agree to the same.

DON B. COLTON. ADDISON T. SMITH. JOHN M. EVANS. Managers on the part of the House. TASKER L. ODDIE, PORTER H. DALE, T. J. WALSH, Managers on the part of the Senate.

# STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12235) entitled "An act to provide for the creation of the Colonial National Monument in the State of Virginia" submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

On amendment No. 1: Strike out the word "suitable." It is

believed to be unnecessary.
On amendment No. 2: Inserts the words "for highways," thereby limiting the purpose for which the lands shall be acquired. This refers, of course, to lands to be acquired for the purpose of connecting the various parts of the monument.

On amendment No. 3: Increases the acreage to be acquired at the site of the Battle of Yorktown and necessary near-by areas to 2,500 acres, instead of 2,000 acres inserted by the Senate.

On amendment No. 4: On this amendment the Senate receded

and allows the original language inserted by the House to remain in the bill. This will permit the acquiring of a right of way through the city of Williamsburg not exceeding 200 feet in width to connect with other highways or parkways leading from Williamsburg to Jamestown and Yorktown.

On amendment No. 5: Limits the amount to be appropriated to sums not exceeding \$500,000. On this amendment the House

DON B. COLTON, ADDISON T. SMITH, JOHN M. EVANS, Managers on the part of the House.

Mr. STAFFORD. Mr. Speaker, in view of the importance of an amendment that has been agreed to by the conferees, I think a brief explanation should be made by the gentleman

from Utah [Mr. COLTON].

Mr. COLTON. Mr. Speaker, there were three amendments put on the bill by the Senate. The Senate limited the acreage to be acquired at Yorktown to 2,000 acres. The conferees increased this acreage to 2,500. The Senate limited the amount to be expended to \$500,000. The conferees on the part of the House agreed to that limitation because the Senate conferees would not agree to the bill without a limitation.

Mr. STAFFORD. If the gentleman will yield, as I recall, there was no limit of appropriation in the original bill.

Mr. COLTON. That is correct.

Mr. STAFFORD. There was nothing in the report in the House bill to indicate that there would be any such amount expended as \$500,000.

Mr. CRAMTON. Will the gentleman yield? Mr. COLTON. I yield. Mr. CRAMTON. The Senate amendment is unfortunate in limiting not only the cost of the establishment but the cost of maintenance. It was not possible in conference to reach that side of the situation. The situation is created, however, and some time that will have to be remedied, because after the monument is established there will have to be maintenance. Whether the amount of money is sufficient for acquisition alone is not at all certain. It seems to some of us that since the Senate has fixed the limit on the area a further limit on the funds is undesirable. This statement of the amount of money in the bill can only operate to increase the price that will be asked for the land, and hence while I am doubtful about the amount named being sufficient it does not seem wise at this time to attempt to have the amount increased.

Mr. STAFFORD. It was my impression that much of this

land was to be donated.

Mr. CRAMTON. I think it is unfortunate that any sum of

money was mentioned.

Mr. STAFFORD. I agree with the gentleman that it is unfortunate and it will only serve to increase the price demanded by the present owners of the land.

Mr. CRAMTON. Absolutely. Mr. LAGUARDIA. That is the position I have taken all along, that these promises of gifts should not be taken into consideration.

Mr. CRAMTON. I do not want the gentleman to misunder-stand. The assurances of gifts are not being changed. There have been no assurances of gifts except as to Jamestown Island. There the State of Virginia promises cooperation. The money limit has nothing to do with the area in the city of Williamsburg, other than for highway purposes.

Mr. LAGUARDIA. The point I am making is not on this

particular case

Mr. CRAMTON. Well, I do not see that that has anything to do with this.

Mr. STAFFORD. It is unfortunate that the conferees agreed to these amendments.

Mr. CRAMTON. They were forced to do so.
Mr. COLTON. There was no other way; it would have defeated the bill if we had not agreed.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. JOHNSON of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MICHENER. I object.

Mr. NELSON of Missouri. Mr. Speaker, I isk unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. MICHENER. Mr. Speaker, I object.

Mr. BOYLAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?
Mr. MICHENER. Mr. Speaker, I object.

SPECIAL COMMITTEE TO INVESTIGATE EXPENDITURES OF CANDIDATES OF THE HOUSE OF REPRESENTATIVES

The SPEAKER. Under House Resolution 258, for a special committee to be appointed by the Speaker to investigate expenditures of candidates for the House of Representatives, the Chair appoints the following committee: Mr. LEHLBACH, Mr. CHINDBLOM, Mr. MICHENER, Mr. BLACK, and Mr. Howard.

#### RELIEF OF THE STATE OF NEW YORK

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table (H. R. 47) an act for the relief of the State of New York, with a Senate amendment, and agree to the Senate amendment.

The Clerk read the Senate amendment, as follows:

Page 1, line 4, after "pay," insert "out of any money in the Treasury not otherwise appropriated."

The Senate amendment was agreed to.

#### CATHERINE WHITE

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 494) for the relief of Catherine White, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the bill (H. R. 494) for the relief of Catharine White, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Senate amendment is as follows:

Page 1, line 6, strike out "\$1,000" and insert "\$250."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was concurred in.

## KATHERINE FRANCES LAMB AND ELINOR FRANCES LAMB

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 495) for the relief of Katherine Frances Lamb and Elinor Frances Lamb, with Senate amendments thereto, and concur in the Senate amendments.

The SPEAKER. The Clerk will report the bill and the

Senate amendments.

The Clerk read the title of the bill.

The Senate amendments are as follows:

Page 1, line 3, strike out "Postmaster General" and insert "Secretary of the Treasury be, and he."
Page 1, line 3, after "hereby" insert ",".

Page 1, line 4, after "pay," insert "out of any money in the Treasury not otherwise appropriated."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendments were concurred in.

# CLARENCE C. CADELL

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 528) for the relief of Clarence C. Cadell, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill and the Senate

amendment.

The Clerk read the title of the bill.

The Senate amendment is as follows:

Page 1, line 4, after "pay," insert "out of any money in the Treasury not otherwise appropriated."

The SPEAKER. Is there objection? There was no objection.

The Senate amendment was concurred in.

## C. B. SMITH

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 794) for the relief of C. B. Smith, with a Senate amendment thereto, and concur in the Senate amendment,

The SPEAKER. The Clerk will report the bill and the Senate | amendment.

The Clerk read the title of the bill.

The Senate amendment is as follows:

Page 1, line 4, after "pay," insert "out of any money in the Treasury not otherwise appropriated."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was concurred in.

#### BELLE CLOPTON

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 913) for the relief of Belle Clopton, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill and the

Senate amendment.

The Clerk read the title of the bill.

The Senate amendment is as follows:

Page 1, line 6, strike out "\$1,000" and insert "\$500."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was concurred in.

#### JOHN PANZA

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 917) for the relief of John Panza and Rose Panza, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill and the Senate

amendment.

The Clerk read the title of the bill.

The Senate amendment is as follows:

Page 1, line 5, strike out "\$1,200" and insert "\$1,055,"

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was concurred in.

#### CATHARINE KEARNEY

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 919) for the relief of the father of Catharine Kearney.

The SPEAKER. The Clerk will report the bill and the

Senate amendments.

The Clerk read the title of the bill.

The Senate amendments are as follows:

Page 1, line 7, strike out "\$5,000" and insert "\$2,500."

Page 2, line 3, strike out "\$5,000" and insert "\$2,500."

The SPEAKER. Is there objection?
Mr. BLANTON. Mr. Speaker, I reserve the right to object.
This makes the sixth consecutive bill the gentleman has called up where the figures agreed to by the House have been reduced by another body. Is not that a novel proceeding that has no precedent in the history of Congress?

Mr. IRWIN. I consulted with the gentlemen who introduced

the bills and they are satisfied.

Mr. BLANTON. I think it is a favorable sign to the people

of the United States when such a body takes that action.

Mr. STAFFORD. Mr. Speaker, in that connection, under the reservation of the right to object, permit me to inquire the basis on which the Senate committee reduces the amount agreed upon in the House and reported by the Committee on Claims. In the pending amendment we have an instance where the House passes the bill awarding the claimant \$5,000 under the impression that that is the sum determined upon that a claimant should receive for that class of injury. The Senate has reduced it to \$2,500. Has the Senate a different yardstick to determine the amount that should be paid to these claimants from that used by the House?

Mr. IRWIN. I do not know what the policy of the Senate is. These are bills where the amendments are of minor importance, and the ranking Member on the minority side and myself, together with the Member who introduced the bill,

have agreed that this is the best thing to do.

Mr. BLANTON. It just shows that another body has begun to function, and to function properly.

Mr. STAFFORD. Another body. Why not just say the

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was concurred in.

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1063) for the relief

of Alice Hipkins, with a Senate amendment thereto and concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Senate amendment is as follows:

Strike out all after the enacting clause, and in lieu thereof insert the following:

"That sections 17 and 20 of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, are hereby waived in favor of Alice Hipkins, widow of S. Otho Hipkins, late filter engineer, United States Public Health Service, at Perry Point, Md., who died as a result of chlorine-gas poisoning while in the performance of his duties."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was concurred in.

#### EVELYN HARRIS

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1066) for the relief of Evelyn Harris, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Senate amendment is as follows:

Page 1, after line 5, insert "in full settlement of claims against the Government."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was concurred in.

#### CLYDE CORNISH

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2170) for the relief of Clyde Cornish, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Senate amendment is as follows:

Page 1, line 4, after "pay," insert "out of any money in the Treasury not otherwise appropriated."

The SPEAKER. Is there objection?

There was no objection,

The Senate amendment was concurred in.

## ELIZABETH B. DAYTON

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2782) for the relief of Elizabeth B. Dayton, with a Senate amendment thereto and concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill and the Sen-

ate amendment.

The Clerk read the title of the bill.

The Senate amendment is as follows:

Strike out all after the enacting clause and in lieu thereof insert the

"That sections 17 and 20 of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, are hereby waived in favor of Elizabeth B. Dayton, who contracted scarlet fever while in the performance of her duties as an employee of the United States Shipping Board.'

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was concurred in.

## E. J. KERLEE

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4564) for the relief of E. J. Kerlee, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Senate amendment is as follows:

Page 1, line 8, strike out all after "Service" down to and including "deceased" in line 13.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was concurred in.

DUPLICATION OF ACTIVITIES IN THE WAR AND INTERIOR DEPARTMENTS

The SPEAKER. Under the special order of the House the Chair recognizes the gentleman from Michigan [Mr. CRAMTON] for 30 minutes.

Mr. CRAMTON. Mr. Speaker and ladies and gentlemen of the House, I desire to speak for a little time on the matter of duplication of activities by two departments of the Government, the War Department and the Interior Department, or rather a growing habit on the part of the War Department to take on and perform activities that more properly belong to the Interior Department, with the result that much more money is being spent and is spent under conditions that involve no reimbursement to the Government, whereas if spent by the Interior Department agencies more or less of it would be either contributed in time or reimbursed later from other sources, and the results accomplished not as desirable.

Furthermore, owing to the fact that the money being spent now for certain investigations that have been under other conditions in the Interior Department reimbursable, and will not now be reimbursable, the thought is being urged in the West, very logically, that if the investigations are to be solely at the expense of the Federal Treasury, the engineering works that are led up to should also be at the sole expense of the Federal Government.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and in doing so to include a letter from the Commissioner of Reclamation, and possibly one or two others that are not my own remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, will the gentleman yield there for a question?

Mr. CRAMTON. Yes; but I would prefer not to yield further after that.

Mr. BLANTON. The gentleman is on the Committee on Appropriations. This extending out by the War Department is done only because the Committee on Appropriations permits it in many instances.

Mr. CRAMTON. I must decline to yield further. I want to economize my time. This is not a matter that the Committee on Appropriations or any other committee or the War Department or the Interior Department is responsible for, but a matter that Congress is responsible for; and I want to get this to the attention of Congress with the hope that the several committees that are sharing the responsibility will give it some consideration. It is a matter that in these days of reorganization could be greatly improved by the cooperation of the various Cabinet officers.

The last Congress appropriated \$5,000,000 for the investigation of flood control and related matters to be disbursed by the War Department. With the exceptionally large sum thus provided, the Engineer Corps of the Army has extended its influence into fields hitherto removed from the accepted activities of the military branch of the Government. It is now duplicating work which for many years has been intrusted by Congress to the bureaus of the Department of the Interior.

As stated by the Commissioner of Reclamation in his letter of June 26, 1930—

. This interference is serious. In one year the War Department has been given more money for irrigation investigations than has been appropriated for such investigations by the Reclamation Bureau in the last quarter of a century.

## Then he says further:

As no repayment of the cost of these investigations by the War Department is required, the belief is growing throughout the West that if the construction of reservoirs and canals should be transferred to the War Department the cost would be paid for out of appropriations from the Federal Treasury, as river and harbor improvements now are, and that, so far as irrigators are concerned, the heavy construction costs which are now required on existing projects would be at an end. This is an alluring prospect, far more attractive than that of development by the Reciamation Bureau, where costs have to be repaid and where irrigators have to sign valid contracts to make such payments.

I proceed: That the results of this invasion of Interior Department functions do not promise a more economical administration, better performance, or simplified procedure is apparent from knowledge already gained of the activities and plans of the Engineer Corps under the recent authorization. On the contrary, it is submitted that the Interior Department's cooperative relationship with State governments and portions of the civilian population is being threatened; records acquired as a result of years of investigation by the Interior Department are being obtained by Army engineers from Interior field officers without the prior knowledge and consent of the responsible heads of

Interior bureaus; large sums of money are being expended on projects which could be more economically executed by the technical staff in the Interior Department, and the success of engineering and economic developments, for which the Interior Department is responsible and for which the Government is in the position of a creditor seeking repayment for millions of dollars invested, is being undermined.

The seriousness of this unexpected departure from accustomed channels and methods of Government administration is the justification of this statement which is presented in the hope that a more satisfactory basis of cooperation may be established. The absence of coordination between the engineering activities of the Army engineers and the highly specialized work of different groups of engineers in the Government civil service does not make for efficiency. One outstanding need of government is the coordination of the activities of different departments and bureaus. The present plans of the Army promise to multiply still further the confusion now existing which the present administration desires to abolish.

The functions of the Interior Department which are being duplicated will be discussed under three general heads—topographic mapping, water-resource investigations, and reclamation

#### TOPOGRAPHIC MAPPING

The Geological Survey for many years has been the recognized agency of the Government in the making of topographic base maps. Manifestly, the War Department should not attempt to assume this function without consultation to determine which Government unit is best equipped to undertake the work in the most economical and effective manner and in accordance with accepted standards of accuracy. If the work is not done in accordance with such standards, it will of necessity have to be done over in the future.

This desirable cooperation is not apparent in the present plans of the Engineer Corps. The flood control act of May 15, 1928, permits the Chief of Engineers to call on the Geological Survey for assistance in the preparation of maps. Communications from Army district engineers indicate that the Chief of Engineers plans to map approximately 30,000 square miles of the Mississippi Valley. This subject was discussed at length by the Director of the Geological Survey in a letter to the Chief of Engineers of the Army on September 29, 1928, and cooperation was invited. Yet no requests have thus far been made of the Director of the Geological Survey to execute any topographic mapping within this area.

It is reported that there is lack of coordination between the various engineering districts of the Army. Modern methods apparently have not been adopted for the execution of topographic maps in the different districts so that uniformity and high quality of work may be attained. The Chief of Engineers has not informed the Geological Survey of the points where his district engineers plan to take up topographic mapping along the Mississippi River and its tributaries. Consequently, it is possible that plans for mapping by the Geological Survey in cooperation with States may include areas which have been or are to be mapped by the Army in the near future.

It is evident from inquiries received from district Army officers that they are endeavoring to use such civilian engineers as are now under their orders for the execution of these topographic surveys. It is understood that these engineers have had little or no experience in topographic mapping, and the Army engineer officers have had no opportunity to gain experience or knowledge which would enable them to execute, through their subordinates, a map which would be of sufficient accuracy to be comparable with the standard maps made by the trained experts of the Geological Survey. It is not believed, therefore, that the mapping which is now being planned by the various district Army engineers will be complete or of as high a degree of accuracy as would be secured by the engineers of the Geological Survey, and it would be of little value in the future for incorporation in the standard topographic map of the United States.

## WATER-RESOURCE INVESTIGATIONS

Investigations of the water resources of the United States were begun by the Geological Survey with its creation in 1879. For more than 30 years successive appropriation bills have carried items for stream gaging and determining the water supfly of the United States, for the investigation of underground currents and artesian wells, and for the preparation of reports upon the best methods of utilizing the water resources.

This work has been well organized. It is a fact-finding service, with the objective that reliable information for the development, utilization, and administration of the water resources of the country may be available when needs arise.

Federal appropriations for water-resource investigations have amounted at most to a few hundred thousand dollars annually.

They have never been adequate to meet the demands for data. As a result States and those interested in the development of water resources under governmental regulation have cooperated with the Geological Survey, so that the work might be extended to meet more nearly the needs of rapid development. A large amount of work is also being done in studying water resources for the Department of State and for several Federal bureaus, including the office of the Chief of Engineers, the Indian and Reclamation Services, the Federal Power Commission, and the National Park Service. Such work has been, of course, in connection with specific problems coming under the administration of these agencies.

For the economic handling of this work the country has been divided into districts, the work in each being directed by an engineer, who has a corps of trained assistants. The district engineer, through a long term of residence, acquires thorough familiarity with the needs of water users and is able to supply their demand with greatest economy and efficiency. By means of a flexible organization, capable of wide expansion, the Geological Survey has been able in large measure to anticipate the needs of the country. It is prepared to the extent of available funds and under its congressional authorization to collect the basic data needed by those concerned with the waters of the country.

The rivers and harbors act, approved March 3, 1925, marked the beginning of vigorous encroachment by the War Department on the stream-gaging activities of the Geological Survey, all of which are, of course, civilian in character. Section 3 of the act provided:

The Secretary of War, through the Corps of Engineers of the United States Army, and the Federal Power Commission are jointly hereby authorized and directed to prepare and submit to Congress an estimate of the cost of making such examinations, surveys, or other investigations as, in their opinion, may be required of those navigable streams of the United States and their tributaries whereon power development appears feasible and practicable, with a view to the formulation of general plans for the most effective improvement of such streams for the purposes of navigation and the prosecution of such improvement in combination with the most efficient development of the potential water power, the control of floods, and the needs of irrigation: Provided, That no consideration of the Colorado River and its problems shall be included in the consideration or estimate provided herein.

Few streams of the country are not tributaries of navigable waters so that the scope of the authorization appears to be countrywide with the single exception noted.

With the exception of outlining navigation projects and making detailed plans and estimates of costs which have never been included in the work of the Geological Survey, the Geological Survey is authorized and equipped to make the investigations provided for in House Document No. 308, which is the report prepared under the authority of the act quoted above, and has for years been making such investigations to the extent that funds were available. Information is not available to show to what extent the expansion and duplication of Geological Survey functions have progressed. The amount of overlapping activities, however, is known to vary considerably with the personal views of the decentralized Army officers, many of whom are inexperienced in this kind of work, and also with the rapidly shifting commissioned personnel in any one district.

## RECLAMATION

The lack of cooperation and the tendency toward wasteful and injurious duplication are even more marked in the irrigation investigations now being carried out by the Engineer Corps.

For more than a quarter of a century the Reclamation Bureau of the Interior Department has been the recognized governmental agency for investigating, constructing, and operating irrigation works. Its activities are under the direction of specialists of long and varied experience in the engineering, economic, and agricultural aspects of the subject. Now, without consultation with the head of the Bureau of Reclamation, subordinate officers of the bureau are being called upon by Army engineers to furnish complete files of reports, maps, plans, and data heretofore assembled by the bureau. The information asked for is not restricted to engineering as it relates to navigation and power development, or to matters related to flood control, but includes requests for reports and explanations of an economic and financial nature on projects which have been built and operated for many years.

In the report which forms the basis of the appropriations under which the Engineer Corps is operating the following appears:

These surveys should evidently be made by the agencies which are to be intrusted with the construction work; in the case of navigation

and flood control, the War Department; and in the case of irrigation projects, the Department of the Interior.

Subsequently irrigation was included, but there is abundant reason to believe that Congress did not expect a report dealing with matters entirely outside of flood control, navigation, or power development.

Since the adoption of Federal reclamation the bureau has been given each year small appropriations with which to make studies of projects which might be taken up for construction in the future, and conditions have been attached to these appropriations that the State in which the investigations are made, or other local interested parties, should furnish one-half of the money to be expended. Total expenditures made are to be repaid by the water users if and when the works are built. This tends to restrict these investigations and development to projects that are needed and which can be paid for by the beneficiaries.

Under this system the entire expenditure is ultimately repaid by those benefited and no demand is made on the Federal Treasury. It is a continuing influence for careful, conservative action and forms the basis of the present reclamation policy.

This experienced agency is now confronted by competition of the Engineer Corps, with an authorization for expenditure for investigations greater than the Reclamation Bureau has had in 25 years and which is carrying on investigations without any obligation for repayment. This is leading directly to duplication of surveys of the same project, and manifestly if one agency will do work without repayment requirements and another must require repayment, this work must inevitably become a burden on the Treasury of the United States. The result has been that State authorities have asked the bureau if it would not accept the reports made by the Engineer Corps, which would cost neither the bureau nor the State anything but which will place a heavy burden on the taxpayers of the whole country. The reply has been that the agency authorized to build the works and which is to be responsible for their management should make the investigations and that so far as irrigation is concerned, the Reclamation Bureau itself is best equipped, because of experience, to pass judgment, not alone on the engineering but on the financial and economic conditions that determine the feasibility of the project.

It is understood that these investigations are not being carried out as a rule by members of the Engineer Corps of the Army but by an additional engineering staff which is being created for this greetife numbers.

for this specific purpose.

The department is engaged on a program of collecting payments due from water users on Federal projects. When Army engineers visit these projects and inquire into their economic features, water users may well be encouraged to believe that the demands of the Interior Department for payments long due can be ignored with impunity. It has taken several years of intensive effort to bring the collections up to their present satisfactory condition and the Interior Department can not see them jeopardized without vigorous protest.

In this connection attention is directed to a bill (S. 871) introduced in April, 1929, by Senator Wheeler, of Montana, authorizing and directing the Secretary of War to construct, maintain, and operate a dam and other necessary incidental works for the irrigation of certain public land, and authorizing such annual appropriations for operation and maintenance as may be necessary. The apparent intent of the bill is to provide irrigation works and to operate and maintain them at the expense of the Government, and without provision being made for the repayment by the water users of the cost to the Government. The enactment of this bill would inaugurate a policy wholly at variance with the established reclamation policy of repayment by the beneficiaries of the cost of construction and of operation and maintenance of irrigation works.

In the interests of coordination and the saving of public

funds, the following is submitted:

That unnecessary duplication of work would be avoided and economy and efficiency promoted by arranging for the experienced engineers of the Geological Survey to make the topographic maps of the accuracy adopted for the standard map of the United States, and to collect the records of river discharge needed by the War Department, by methods acceptable to the hydraulic engineers of the country. This is desirable not only in connection with the authorization contained in House Document No. 308, but also in connection with the problems of flood control of the Mississippi. It could best be accomplished under present appropriations by transferring to the survey the funds required to do the necessary work.

And that can be done under the present authority of law if the executive branch of the Government desires to do so.

That studies relating to operations of the Reclamation Bureau are wholly outside of the legitimate scope of the investigations of the Army; that where Congress has authorized investigations to be made by the Bureau of Reclamation the Engineer Corps should refrain from entering that field and should accept the data furnished by the Reclamation Bureau; that the same conditions of repayment of costs should attach to surveys and preparation of plans for actual projects that control similar investigations by the Reclamation Bureau; and that there should be definite limitation in the activities of the two bureaus, so that the present costly duplication may be terminated.

I will read in my time the letter from the Commissioner of

Reclamation which I referred to in the beginning:

UNITED STATES DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, June 26, 1930.

Hon. LOUIS C. CRAMTON,

House of Representatives, United States.

MY DEAR MR. CRAMTON: Replying to your inquiry as to the extent of interference with the operations of the Reclamation Bureau by the irrigation investigations of the War Department:

This interference is serious. In one year the War Department has been given more money for irrigation investigations than has been appropriated for such investigations by the Reclamation Bureau in the last quarter of a century. Because of these large appropriations and the belief of the War Department that it is required to report on the present irrigation situation, these investigations are being carried on in every part of the arid region, except in the Colorado Basin, where there is a definite exclusion.

As no repayment of the cost of these investigations by the War Department is required, the belief is growing throughout the West that if the construction of reservoirs and canals could be transferred to the War Department the cost would be paid for out of appropriations from the Federal Treasury as river and harbor improvements now are, and that, so far as irrigators are concerned, the heavy construction costs which are now required on existing projects would be at an end. This is an alluring prospect, far more attractive than that of development by the Reclamation Bureau, where costs have to be repaid and where irrigators have to sign valid contracts to make such payments.

This possibility of repayment not being required on future irrigation projects, is having an unsettling influence on the minds of irrigators on existing projects. It is stimulating agitation for moratoriums or relief from payments required under existing contracts. I believe that the West needs Federal reclamation, that it is only through this that the idle lands and wasted waters of western rivers can be made creators of wealth and of opportunities for settlers, but I also believe that reclamation should be continued as a business policy, as it has been in the past. But this can not continue if another agency of the Government is to carry out investigations and construct works to be paid for wholly out of the Federal Treasury.

Another serious objection to the present uncertainty and duplication of effort is the large waste of money. On a score of streams in the West, where the activities of the Reclamation Bureau require a continuation of investigations of water supply, character of the soil, crops, and markets to determine the future possibilities of irrigation and what payments can be properly required from irrigators, these activities are being paid for in part by the State, usually on a 50-50 basis, and under existing arrangements the total expense is ultimately paid for by the irrigators. The new activity of the War Department changes all this. Its investigations are free. It has larger funds than the Reclamation Bureau has ever had or could command through the joint expenditures of the State and the Federal Government. The Reclamation Bureau would be entirely out of business if it were not recognized that in a quarter of a century it has accumulated a fund of experience and judgment which makes its work worth paying for by the States.

What is going on generally is illustrated by what has recently taken place in California. That State is carrying on a comprehensive study of how to increase the water supply of irrigators in the San Joaquin Valley, and how to utilize to the best advantage the surplus waters of the Sacramento Valley. The cooperation of the bureau in this investigation was asked for by the State and approved by the department. The bureau is carrying on similar investigations in southern California to determine the location and cost of works to irrigate Palo Verde, Imperial, and Coachella Valleys, the expense of this to be ultimately repaid by the projects; and one-half of the expense now being incurred is paid by the people living in the areas affected. In taking up the work in northern California it was found that the War Department had a very large appropriation for irrigation investigations. It generously offered to make available to the Bureau of Reclamation all the money reasonably required for these investigations, on condition that the report would be printed as an appendix to the report of the War Department. This proposal was attractive to the State, because it would relieve it of any part of the expenditure made by the Bureau of Reclamation; while if it were carried on as the work in southern California was being carried on, the State would be required to contribute one-half of the cost. The bureau did not feel that it could accept the money so proffered because it would tend to intensify the existing confusion, and it expressed its view in the following telegram:

"Interior Department is keenly interested in the water problems of California and in the conservation of the State's water resources. It regards the Federal-State investigations as worthy of all the cooperation and aid it can give. It is desirable, however, that the plan adopted should be in agreement with cooperative arrangements made heretofore with California and other States. These have recognized the Interior Department as the governmental authority entrusted with carrying out the Federal reclamation policy and the investigation of problems in reclamation by irrigation. The reclamation law provides for cooperation with States, and cooperative studies have been carried out in the past with California as with other States. The plan outlined in your telegram is a departure from past practices and it is feared it would tend to confusion. A more satisfactory arrangement is to have a cooperative agreement with the State define what the Department of the Interior is to do with funds required up to July 1 to be provided by the State and funds required from July to September to be provided by the Interior Department. If there is difficulty in the State providing the money required it is hoped that the War Department can advance it to the State rather than to the Interior Department. The above is approved by Secretary Wilbur.'

The outcome has been that the State and the Federal Government has each appropriated \$25,000 and the investigation by the bureau is going on, but it has not disposed of the situation created. The War Department feels that it is required to make an investigation of irrigation, and that it must report on irrigation, independently of any report made by the Bureau of Reclamation.

That is to say, an authorized agency of the Government is going to make an investigation and report, one-half at the expense of the Federal Treasury, and one-half at the expense of the State, but the War Department, in face of that highly technical investigation by one branch of the Government, is going to proceed at 100 per cent cost to the Federal Treasury, to make a second investigation of the same subject. Still, we are told the War Department authorities desire to relieve that department of nonmilitary activities, because of the wrong impression which it gives the country as to the cost of the military branch of the Government. Still, they insist on duplicating in this case purely civilian activities that are under way.

Continuing with the letter:

There is no friction between the officials of the War Department and of this bureau. Both recognize that a very difficult situation has been created by Congress in making appropriations for carrying out the same work by two different departments of the Government, but to which widely different conditions are attached. In the case of the bureau, those benefited must repay the cost, while in the case of the War Department the cost is paid by the whole country and those benefited pay only a small part.

Confusion as to how far the activities of the War Department are to extend has been greatly increased by the character of its investigations carried on during the past year.

I want to commend that statement to the attention of the Bureau of the Budget, which is working all the year around in an effort to save money that even has been appropriated by Congress. Just because money has been appropriated by Congress does not mean that it must be spent, and it is the business of the Bureau of the Budget to locate such duplications and see that they are prevented.

Reading further from the letter:

Extensive and searching inquiries are being made into the operation of the older Federal irrigation developments, where the relations of the development to questions of flood control are remote or nonexistent. Letters indicate that information is being obtained which would enable the Engineer Corps of the Army to make a report on all the financial and economic activities of the Reclamation Bureau, to reopen and pass new judgment on conditions which were investigated and reported on by the special advisers on reclamation in 1924.

Such a report from this inexperienced and uncertain agency, if it has any effect except to cost money in the investigation, can only result in costing us millions of dollars in further wiping off of charges on existing projects.

The balance of the letter reads as follows:

From one letter received by the chief engineer in Denver the following is quoted:

"We are preparing our preliminary report on the Yellowstone River Basin. In this connection it would be of great importance to us to obtain an accurate understanding of the history and financial status of the lower Yellowstone, Huntley, Shoshone, and Riverton projects. We would like to obtain from your effice the following information for each project:

"1. Details of financial reorganization, if any, with the essential features of existing contracts with the United States Government.

"2. Estimated annual construction charge and annual operation and maintenance charge per acre for each land classification."

On another project, which has been in operation for more than 15 years, and which is located on a minor tributary of the Missouri River, inquiries indicate that the desire is to have a complete history of the activities and financial condition of this project. From a letter of inquiry the following is quoted:

We are preparing our preliminary report on the Cheyenne River Basin. In this connection it would be of great importance to us to obtain an accurate understanding of the history and financial status of

the Belle Fourche project.
"According to information at hand, the project passed through a period of financial reorganization under which the payments on water rights were suspended until 1929. Other details of this reorganization are not clear; consequently we would greatly appreciate the salient facts regarding the original repayment plan, the reorganization, and the financial status under the present plan.

"Along the same line, there are certain specific items that we would

like to obtain, computed to some convenient recent date:

Construction cost.

"Construction cost repaid.

"Construction cost covered by existing contracts.

"Terms of existing repayment arrangements.

"Construction cost written off at times of reorganization.

" Maintenance cost.

"Maintenance cost repaid.

"Maintenance cost covered by existing contracts.

"Terms of existing maintenance payment arrangements."

In another letter relating to the North Platte project there is the following statement:

'Another matter of great importance and interest to us is the history and financial status of the North Platte Government project. I have heard and we have received various claims and expressions from interested parties which give varying views as to the history of the Government project and also as to the economic feasibility of the various irrigation projects now being agitated on the North Platte River."

Sincerely yours,

ELWOOD MEAD, Commissioner.

#### MUSCLE SHOALS BILL

The SPEAKER pro tempore. Under the special order of the House the gentleman from Alabama [Mr. Almon] is recognized. Mr. ALMON. Mr. Speaker, this session of Congress is nearing the close and the Muscle Shoals bill is still hung up in conference. Why is this? Let us see; the Senate passed the Government operation bill and the House substituted for it and passed a bill providing for the leasing of the Muscle Shoals development. Conferees of both Houses were appointed with-The Senate conferees proposed as a comout any instructions. promise that the fertilizer plants be leased and that the Government keep its hands on the switch of the Wilson Dam power development and let the board appointed by the President, under the provisions of each of the bills, operate the power plant and sell it all, or as much as was needed by the lessee for the operation of the fertilizer plant for the manufacture of fertilizer and by-products. The two Democratic members of the House conferees-Mr. Quin, of Mississippi, and Mr. Fisher, of Tennessee-agreed to this and the three Republican members—Mr. Ransley, of Pennsylvania, Mr. Wurzbach, of Texas, and Mr. Rezce, of Tennessee—refused. They have had only two meetings and the indications are that they will not have another meeting before next December, as Mr. Reece has gone home to look after his campaign for reelection. He should be removed as a conferee and another appointed in his place. [Applause.] Mr. Reece gave as his reason for not agreeing to the compromise that the President would veto such a measure. I then called on President Hoover and asked him if Mr. REECE or anyone else was authorized to say that he would veto this compromise measure. He replied that he was not, and that he would not say what his action would be until after it was presented to him by the Congress. He said that he would like to see the Muscle Shoals question settled. I then told him that he could settle it if he would; that if he would call the Republican members of the conference committee of the House before him and tell them that he would approve the compromise measure that they would agree to the proposition of the Senate conferees.

I urged him to do this, but he declined, saying that it was the business of the Congress to enact legislation and send it to the President for his approval or veto. I told him that I knew it was his custom and that of all other Presidents to call in their leaders and conferees in order to help settle legislation in which the President felt an interest. Since my visit to him, President Hoover has sent for the Republican leaders and conferees both from the Senate and House to come to the White House and discuss with him pending legislation with the view of securing final agreement and passage of bills in which he was interested and wanted to see enacted into law,

but Muscle Shoals was not included in such conferences. The whole trouble is, as is well known to every one conversant with Muscle Shoals legislation, that President Hoover and his administration is opposed to the Government operation of the hydroelectric power plant at Muscle Shoals. At the same time the Government has operated this power plant continuously since its completion for the sole benefit of the Alabama Power Co. That company only takes about 10 per cent of the available power at about 2 mills per kilowatt-hour and sells it for domestic purposes at from 4 to 10 cents per kilowatt-hour and the balance runs to waste. The Secretary of War has refused to sell any part of the power to the municipality known as Muscle Shoals City, which is adjacent to the power house. This city has offered to pay even more than is being paid by the Alabama Power Co., and still the power company is favored by this and the former administration

The Tennessee Power Co. has recently constructed a transmission line from Nashville to Muscle Shoals and has, or will, buy the power at the same rate, and still the administration is opposed to the Government operation of this power plant. However, the Government continues to operate the power plant for the benefit of the two power companies instead of furnishing power to the fertilizer plant for the manufacture of fertilizer for the benefit of the American farmer. This same administration claims to be interested in the farmers and in farm-relief legislation. The operation of Muscle Shoals, as provided in the compromise measure, would give more relief to agriculture than all the farm-relief legislation which has been

enacted at this session of Congress. [Applause.]
I also appealed to Col. John Tilson, of Connecticut, the majority floor leader of the House, to aid in securing a settlement along the lines proposed by the Senate conferees, and this he

declined to do.

The Republican Party has been in power since the World War ended and they have had every opportunity to put Muscle Shoals into operation for the benefit of the farmers, one of the purposes for which it was constructed, and still nothing has been done. Senator Black introduced the following resolution in the Senate on yesterday, which was passed by a unanimous vote:

Resolved. That it is the sense of the Senate that, pending the enactment of legislation providing for the disposition of power generated by the Government power plant at Wilson Dam, the Secretary of War should not discriminate against municipalities in the sale of said power but should sell power to municipalities applying for same upon as liberal terms and conditions as such power is sold to private power companies.

I introduced the same resolution in the House, and it was referred to the Committee on Military Affairs. I will insist that the committee report this resolution favorably and that it be passed by the House. How is it that this administration can spend many millions of dollars in building Boulder Dam in the West and have it operated by the Government and sell the power to Los Angeles, Calif., a municipality, but is not will-ing to operate the power plant at Muscle Shoals and sell any part of the power to a municipality. About nine-tenths of the available power at Muscle Shoals is running to waste. The Government is losing \$3,000,000 annually and the farmers in their distressed condition continue to pay about twice as much for their fertilizer as it would cost to produce it at Muscle Shoals, all because this administration would rather this would continue than to give municipalities the preferential right to purchase any of the surplus power that would not be needed for the operation of the fertilizer plants. Why is this? The reason is well known. It is the influence of the power interest. The water-power monopoly does not want any municipality within transmission distance of Muscle Shoals to get any of the power because the rate the municipality would furnish it to its citizens would expose the enormous prices that the power companies are exacting of the people.

All of the Representatives from each of the Southern States, except Mr. Wurzbach, of Texas, and Mr. Reece, of Tennessee, who are conferees on this bill are heartily in favor of the compromise Muscle Shoals bill. Each of the Senators from all of the Southern States is in favor of the same, and each of the Representatives from the State of Tennessee, except Mr. REECE, is heartily in favor of this measure, as well as both of the Senators from Tennessee. And still Mr. Reece holds out against it, when it is well known that the State of Tennessee would be one of the chief beneficiaries from this measure, Cove Creek Dam is in that State, and the Tennessee River running entirely across the State of Tennessee would be greatly improved; and still Mr. Reece is unmovable. There is time yet in which to settle this legislation before adjournment, and I urge that the conferees have a meeting to-day or to-morrow and agree upon a report which can be adopted and the bill sent to the President before Congress adjourns. [Applause.] The country is expecting and demanding that this be done. If not, it will have to go over until December. This would be a great disappointment to all the people who are awaiting the action of Congress with much interest and anxiety. The passage of this compromise measure would give employment to a large number of men who are out of employment. It would relieve distressed agriculture and bring joy to the hearts of millions of people. [Applause.]

I have before me a letter written by the commander of the American Legion at Tuscumbia, Ala., to the President of the

United States, which I will read:

AMERICAN LEGION, TUSCUMBIA POST, No. 31, Tuscumbia, Ala., June 19, 1930.

Hon. HERBERT HOOVER,

President of the United States, The White House, Washington, D. C.

DEAR MR. PRESIDENT: As a member of the American Legion, I desire to now join with the many thousands of others in making this request for action. When your country and my country were face to face with the great world conflict I, like thousands of others, gave my services to the defense of our country. United States was at war; no man or resource was spared to the end that victory was achieved. That emergency has passed into history; the effects of that great conflict, however, are still sorely felt by thousands of those who as common soldiers fought in that conflict. All these facts are well known to you.

You know the dire need of thousands of legionnaires, soldiers of the World War; how unemployment has reduced their families to a point of severe want. As Chief Executive of this great country you are in a position to have absolute information on all phases of American life. I know that as Chief Executive of this great country your duty is to relieve, when humanly possible, the pain and suffering of your people. However, I note from the press that you say that you would not sign the original straight Norris bill for Government operation of Muscle Shoals. Your predecessor had a chance to sign such a bill. Like the great leader which he was not, he saved the whole project for the power monopoly, who have been the sole beneficiaries of this great project since its completion.

Is it not a fact that you recently signed the Boulder Dam bill, which in fact provides more stringent Government supervision than the new Norris Muscle Shoals compromise proposal? It will be easily understood by the public your refusal to effect acceptance of the Norris Muscle Shoals compromise, for Muscle Shoals is not adjacent to your home State of California, as is Boulder Dam Government project.

You are also quoted as saying that "It is the duty of Congress to pass a Muscle Shoals bill and bring it to my desk to sign or veto. I will not interfere or take any hand until it is laid on my desk." How can you as President refuse to interfere or take a hand in getting action? It would be the same as the president of a bank looking on while Jesse James robbed the bank, and the president standing silently by saying "I will not interfere." You have allowed the public to accept the belief generally that you are a great engineer and master of economic experts. As such you, of course, know that the American public has been robbed and is continually being robbed by unemployment, unreasonable rates, and watered stocks and bonds of the electric power interests.

This legislation means the saving of millions of dollars annually to American farmers in the buying of fertilizer. The operation of these nitrate plants at Muscle Shoals, which are the only idle nitrate plants in the world, will help to relieve the unemployed. It is a matter of record that our farmers pay Chile around \$12,000,000 annually as an export tax on Chile nitrate brought to our American farmers. The operation of these plants will save that also. But you won't interfere. Our farmers would save \$16 per ton on their fertilizer bill, but you refuse to interfere.

The completed Muscle Shoals project would employ thousands of men, many of whom would be legionnaires, men whose children are crying in want, but you say "It is the duty of Congress," when one word from you would save this "gigantic project for the people, who paid for it. Thousands of those payments were the loss of life, while other thousands of those payments were the loss of health and the pursuit of happiness. And yet when you look around you and see the power monopolles making as much as 3,000 per cent profit in most cases you can not sign a bill that will stop the highway robbery rates of these power monopoles nor utter a word that would benefit the whole United States, while your silence benefits directly the Power Trust.

I would like to see what kind of appearance an army would make that was made up of the power magnates of those holders of the common stock of the private power corporations. I would like to review that little handful of power army soldiering for \$1 per day, with possibly King George as the head, and with Mr. Morgan as commander in chief, and with Samuel Insull as field marshal, and the smaller boys, Tom Martin and Harvey Couch, and such others, as the lieutenants in command, of the power company attorneys who would be acting as their pri-

vates in the ranks. Could that little army hold the Hindenburg line and "keep our country safe for democracy"?

The American boys, who by the thousands died to save the gigantic holdings of the Power Trust, are now seeing the power interests scheme and manipulate against the consumers like myself and keep us out of a job, and to make times hard throughout the country that their selfish motives may be easier attained. These power boys sat in their offices during the war, yelling patriotism, while they were extracting from two to three thousand per cent on their investment, and the soldiers were in the trenches at \$1 per, risking their lives, health, and everything in defense of our country and the power boys. Who deserves recognition? Mr. President, think.

Mr. President, you would not hesitate to call on thousands and thousands of our best men in this country to again defend it. These men, being patriotic, would accept a call, they would leave home and families with little hope of ever returning, but in times of peace they are forced to abide by the dictates of power monopolies, whose influence has kept the Muscle Shoals plants idle. Mr. President, these facts are well known to you. The Federal Trade Commission reports show the unethical practices of these Power Trusts, how can you sidestep the issue in refusing to interfere, when your refusing to act benefits the Power Trust, and at the same time denying thousands of men, many of them legionnaires, an opportunity to provide for their suffering families.

As President of the United States you are the Commander in Chief of its Armies, and as such, we legionnaires try to have the highest respect in the world for you, and in return everyone naturally expects you to merit the same. In this connection, I would call your attention to the statement of one of your own Republican lieutenants, Congressman BERTRAM H. SNELL, who, according to the New York Times in January this year-Snell asserted at a State conference of Republicans in New York that, "His Republican friends should abandon their electric-power policy favoring private power corporations, and should support whatever electric-power policy that was suggested by Governor Franklin Roosevelt, of New York." Mr. SNELL further stating that the Republican policy had merely led to defeat in State elections. Can't you easily see that it will also lead to sure defeat of your administration, from the Executive down? No Republican leader can claim that he is not thoroughly aware of these things, but with the prompt and proper passage of Muscle Shoals at this present session of Congress would in a way help greatly to redeem your administration,

Yours very respectfully,

J. H. Bowser,

Commander, American Legion, Tuscumbia Post, No. 31.

Mr. Speaker, I also have a copy of a very strong letter from H. N. Morris, commander of James R. Crowe Post, Sheffield, Ala., to President Hoover urging him to assist in bringing about a settlement of the Muscle Shoals legislation. However, it is along the same lines as the one which I have just read from J. H. Bowser, commander of the American Legion, Tuscumbia, Ala., Post No. 31, so I will not undertake to secure time in which to read it, as there is so much business to be transacted in the House to-day. I also have many other communications from various business men along the same line. [Applause.]

COUNT DE GRASSE

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to proceed out of order for one and a half minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, as a member of the United States Yorktown Sesquicentennial Commission I have been interested in the history, unpublished, and almost unknown, of Francis-Joseph-Paul Count de Grasse, the great and almost forgotten admiral, whose victory with the French fleet over the British fleet under Admiral Thomas Graves at the mouth of Chesapeake Bay on the 5th of September, 1781, made possible the ending of the Revolutionary War, the surrender of the British Army under Cornwallis, and the triumphant establishment of the United States.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Record and to include some remarks of Ambassador Herrick made at the home of Count de Grasse on the 25th of April, 1928.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection?

Mr. FITZGERALD. Admiral de Grasse brought from the West Indies the French Fleet that made reenforcement and rescue of the British Army under Lord Cornwallis impossible. The victory of the French fleet over that of Great Britain has come more and more in late years to be recognized as of supendous importance and to have had more effect upon world history than Trafalgar or Waterloo.

But De Grasse brought more than the indispensable fleet, with its 1,700 guns and 19,000 seamen, from the West Indies, he brought 3,000 veteran troops under Marquis St. Simon to aid the land forces and he brought money and he brought artillery. Without De Grasse Cornwallis would have escaped, and the American Revolutionary War would have gone on indefinitely or ended in failure.

Every patriotic American will enjoy reading the pamphlets A Great Forgotten Man and Sea Power and the Yorktown Campaign by Commander Alfred H. Miles who has done much to rescue from oblivion the name of De Grasse and repair the ingratitude of the many years of neglect by the American people.

There are in the Library of Congress scores of letters exchanged by General Washington and Admiral de Grasse and a wealth of other documents which have never been published. A list has been prepared by Miss Elizabeth S. Kite, of the Institute Français de Washington, and I note with satisfaction that yesterday at the suggestion of the Hon. Claude A. Swanson, a Senator from Virginia, the United States Senate has ordered these elements of history to be published as a Senate document.

In accordance with permission granted by the House, I here add the address on De Grasse delivered by the late Ambassador Myron T. Herrick at Tilly, France, the ancient home of the De Grasse family on April 25, 1928.

Before taking up the profoundly interesting subject of Admiral de Grasse, I wish to congratulate Monsieur l'Abbé Blain upon the institution which he and his collaborators are conducting in this chateau, which was the old home of the admiral's ancestors and where he died.

Children whose families are without resources, and especially the orphans of the Great War, are enabled here to learn the business of gardening and farming, making them self-supporting and productive. I know of no nobler task than that which these men have set themselves, and I am happy to be associated with Marshal Foch as one of the vice presidents of their institute. I hope the public in France and America will give it an increasing and generous support.

This is the first time during my long service in France that I have ever been invited to any ceremony which commemorated even incidentally the memory of Admiral de Grasse, and I do not recollect any occasion when our people at home have united to honor him. It is therefore with the greatest pleasure that I have accepted the kind invitation of the Abbé Blain to be present to-day at Count de Grasse's old home, to which he was exiled and where he died a broken man, and to assist at the pious ceremony of removing his heart from its former resting place to a spot more in keeping with what is due to a man whose work so deeply modified the history of a continent.

It is a pleasure for me to come here not only because as American ambassador it is my duty to offer Admiral de Grasse such honor as I can but because I have something to say about him which I hope will reach a large number of my countrymen. For here is an officer upon whose skill, courage, and devotion depended the whole fate of our Revolutionary War. This is not merely my personal opinion, but it is the verdict of history, and the first man to bear witness to it is Washington himself. The day after the capitulation of Cornwallis he wrote the admiral: "The surrender of York, from which so much glory and advantage are derived to the allies, and the honor of which belongs to your excellency, has greatly exceeded our most sanguine expectations."

Now, what was the situation of the rebellious Colonies in the summer of 1781 after five long years of war? As much as I hesitate, in the presence of Marshal Foch to touch upon technical military matters, it is necessary for clearness that I briefly do so.

The American resistance, in spite of the aid brought over by Rochambeau's army, was on the verge of collapse. Listen to what Rochambeau wrote to De Grasse in the West Indies: "I will not deceive you, sir. These people are at the ends of their resources. \* \* \* General Washington has but a handful of men. \* \* \* The army of Cornwallis is in the heart of Virginia. \* \* \* This country is at bay; all its resources are failing at the same time. \* \* \* Come! America is in distress."

The British were in New York and Admiral Graves blockaded our coast. Our commerce was dead, munitions from France cut off, and Cornwallis, after ravishing the Carolinas, was marching north to combine with Clinton in crushing Washington. People were tired, business was at a standstill, Congress torn with faction, and it seemed but a matter of months before the end of our resistance must come. What changed all this and ended the war victoriously at Yorktown the following October? De Grasse.

Yielding to the representations made by Washington and the entreaties of La Luzerne and Rochambeau, without instructions from home, he took upon himself the enormous responsibility of leaving in the West Indies vast convoys of French merchantmen without protection, and thus unencumbered to sail with his whole fleet in execution of the great combination which his sailor's genius saw would end the war, if only it were successful.

To La Luzerne, French diplomatic envoy to the colonists, belongs the honor of proposing the Virginia operations; Washington and Rochambeau in perfect accord drew up the daring plans for executing the maneuver; but to De Grasse falls undivided the immense credit of carrying out his part of it with an energy and skill which elicited from his enemies the appellation of the "intrepid Frenchman." Alas! that the French King should have loved his admiral less than the British admired him.

Not content with merely coming, De Grasse induced the Marquis de Saint Simon, commanding in San Domingo, and Monsieur de Lillancourt, in Haiti, to loan him 3,200 troops with over 100 cannon; and to make sure of the million livres he managed to borrow in Habana he offered in pledge the very chateau in which we stand this moment. Morally, militarily, politically, his action was without a flaw.

And the result? Arriving off Norfolk—and please note that his flagship was called La Ville de Paris—he decoyed the British squadrons away from the entrance of the capes, fought them, fooled them, and finally sent them back to their base in New York damaged and unable to keep the seas. Meantime with masterly skill Washington had marched his army and that of Rochambeau to the head of Chesapeake Bay, and here again De Grasse did not hesitate to send him ships for their rapid transfer to the Yorktown Peninsula, at the same time landing his own 3,000 soldiers in front of the city. The rest is an old story. Cornwallis, blockaded by sea and menaced by land, surrendered, and our war was won.

Why has De Grasse never been given his place in that galaxy of brave Frenchmen whom Americans have for a century delighted to honor? For one thing, there is the briefness of his apparition. He came when called, did the work required of him, and sailed away to attend to other urgent business. It is doubtful if he so much as spent a night upon American soil. He had promised Monsieur de Lillancourt that if he would lend him those 3,000 troops he would bring them back in October, and he kept his word. Whether France's loyal allies in Habana got back the million they scraped together, whether the Spanish ladies recovered the jewels they pledged to aid in raising the money, I have at the moment no means of telling you.

The plans made by De Grasse and his precision in executing them bear the stamp of high genius. The middle of August he starts with his fleet on a most dangerous errand 1,500 miles away. No detail is omitted to insure success. Slow transports are not taken, the troops being loaded on the warships. A fast frigate is dispatched to Rochambeau conveying advance news of his movements. He refuses to weaken his force by assigning men-of-war to convoy the large merchant fleet standing ready to sail for France. Even in the battle of September 5, the "intrepid Frenchman" allows no love of glory or his well-known passion for the fight to deter him from his object of decoying the British fleet away from the capes in order to let De Barras in. Fight he does and gallantly, but always with one thing in view, get De Barras's squadron safely into Yorktown. On October 19, Cornwallis surrenders and the admiral sails back to San Domingo. A good piece of work done in most businesslike fashion.

De Grasse's subsequent misfortunes, in no way reflecting upon his ability and courage—quite the contrary—should make him all the more dear to us whom he served so splendidly, should lead us to revive his memory and insure for him the place in world history which has, through a strange negligence, been denied him.

In a course of lectures at the University of London, Professor Reich said: "This naval Waterloo of the British is one of the least noticed events of modern times. Not one Englishman or American in 10,000 has ever heard the name of this battle, the full details of that clinching victory have never been published, and the battle is as a rule neither given its precise name nor placed in the right historic perspective.

\* \* The battle off Cape Henry had ultimate effects infinitely more important than those of Waterloo."

These words of an impartial English historian written 25 years ago have taken on an added meaning now. A great war has been fought and world history further modified. France and America have once more combined on land and sea to defeat a common opponent and advance the cause of human liberty.

A few years ago another Frenchman whose name had been forgotten was rescued by a grateful Congress from undeserved oblivion and given a place in our hearts and history. But without De Grasse, Major l'Enfant would have had no city of Washington plan, and it may well be that the memory of the great admiral will only gain in the long run by having had to wait for an ever grateful people to realize how much they owe him.

When De Grasse's statue stands beside that of Lafayette and Rochambeau in the beautiful park which faces the White House in Washington we will have begun a work of piety which will only end when every American schoolboy knows the deeds of this splendid Frenchman as well as he now knows those of his gallant comrades in arms, Lafayette and Rochambeau.

# WORLD WAR VETERANS' LEGISLATION

Mr. OLIVER of Alabama. Mr. Speaker, ladies and gentlemen of the House, I requested time for the purpose of making some comments on the very fervid commendation of the President's veto of the veterans' bill by the gentleman from South Dakota

[Mr. Johnson], and to briefly call attention to the genesis of | this legislation, so that the uninformed public may know who first sponsored those basic principles of legislation which the gentleman from South Dakota now so warmly praises the President's condemnation of.

You will pardon me, however, for a short digression while I express to my colleague, the gentleman from Alabama [Mr. ALMON] my appreciation for the very strong, forceful address which he has just made urging definite legislation for Muscle Shoals at this session. [Applause.] Many of us had hoped that he might realize before this session adjourns the dreams which he has so long cherished that this great Government plant should be dedicated for all time to the helpful service of agriculture in peace and to the defense of country, if emergency should ever require it.

With unwavering loyalty, he has steadfastly insisted that the Government's large investment in his home county should never be diverted from the wise purposes to which it was dedicated by Congress in the national defense act of 1916.

Another colleague from Alabama, serving with distinction on the Military Affairs Committee of the House, has shown like devotion and loyalty to this same cause. I refer, of course, to the gentleman who represents the Montgomery district [Mr.

These two colleagues, with many other Members of the House, have strenuou.ly insisted and are now urging on the majority leaders of the House, who are clothed with plenary authority in the premises, to permit a vote at this session on the compromise measure proposed by all five of the Senate conferees, and which is acceptable to two of the five House conferees. No one will deny that a substantial majority of the House would vote for the compromise measure, and it seems incredible that the majority leaders should refuse this right. To delay legislation on this subject until December will be a serious blow to agriculture generally and especially in the South,

Adverting again to the President's veto of the veterans' bill, let me read the following excerpts taken from the remarks on yesterday of the gentleman from South Dakota [Mr. Johnson]:

I believe the House will sustain the President's veto just as firmly as I believe that that veto will be before us, and the President will state the truth in that veto if he says that the bill that has come to him is the most unfair, inequitable, unjust, and vicious piece of legislation that has ever been passed in any parliamentary body for the alleged relief of service men.

Mr. BLANTON. Will the gentleman yield? Mr. OLIVER of Alabama. I prefer not to just now, since I only have a limited time. Then, again reading from Mr. Johnson's remarks, we find the following:

In my judgment, Mr. Speaker, the House is ready to act on the message of the President which correctly characterizes this unjust, unfair, and discriminatory bill, and for that reason, without further discussion, I move the previous question.

So far as the observations which I wish to submit at this time on the declarations just quoted from the remarks of the gentleman from South Dakota are concerned, we can well waive for the present all questions as to the accuracy of fact and conclusion recitals or the potency of the arguments advanced by the President in his veto message. I confidently assert, however, that all who are acquainted with the genesis and history of this legislation must have felt a distinct shock and surprise as they listened to the fulsome, enthusiastic approval of the veto message as voiced on yesterday by the gentleman from South Da-kota. Certainly, the uninformed public, after reading the quoted excerpts, which I have just read, would never surmise that the gentleman from South Dakota, as chairman of the Veterans' Committee of the House, only recently reported and urged the passage of that very bill in the House when it contained provisions subject to every basic, fundamental criticism and objection offered by the President to the bill as it passed the Senate-some of the most objectionable provisions complained of by the President being in the exact language as originally reported by the gentleman from South Dakota and adopted by the House on his recommendation.

Will the gentleman from South Dakota claim that the President's veto was not directed at legislation proposed and recommended to the House by the Veterans' Committee of which he is chairman?

Did not the bill so reported and recommended for passage by the gentleman from South Dakota amend section 200 of the veterans' act, so as to give presumptive service connection to every character of disability suffered by World War veterans up to January 1, 1925, and fix the same compensation ratings for all such presumptive connected disabilities as are provided

for disabilities shown by positive proof to have been actually contracted in the service?

Did not the committee, speaking through the gentleman from South Dakota as its chairman, offer as a justification for this presumptive service connection for all disabilities to January 1 1925, the fact that this same committee, with the approval of Congress, had previously extended presumptive service connection for a limited number of disabilities up to that same date?

Did not the gentleman from South Dakota, as chairman of the committee, include and indorse in his original bill all of the provisions in the bill vetoed by the President, which carried hospital pay for veterans and their dependents, when hospitalized for nonservice disabilities, and as to which the President directed his most bitter complaint?

Did not the gentleman from South Dakota, as chairman of the committee in charge of the bill on the floor of the House, accept the amendment offered by the gentleman from Texas [Mr. Buchanan], which gave compensation for disabilities resulting from social diseases contracted while in the service?

Did not the gentleman from South Dakota oppose and help defeat an amendment offered by the gentleman from Ohio [Mr. FITZGERALD] which sought to give to all disabilities presumptively service connected, under the bill reported by the committee, a lower basis of pay than that allowed for direct serviceconnected disabilities?

Did not the gentleman from Indiana [Mr. Wood], chairman of the House Committee on Appropriations, during the consideration of the bill, reported by the gentleman from South Dakota, bitterly attack such bill in the House on the very same grounds and for the very same reasons set out in the President's veto message, and without a word of approval from the gentleman from South Dakota of the objections which Mr. Wood then offered?

Was not Mr. Wood simply voicing the objections set out in an elaborate paper prepared by the Veterans' Bureau and known to the gentleman from South Dakota, at the time that he was urging the passage of the bill, which contained the provisions objected to by the President?

Did not the gentleman from South Dakota and the gentleman from Massachusetts [Mr. Luce] urge the House to pass the committee bill, with all of the provisions objected to by the President, and in support of their appeal for votes declare unreservedly that the bill had the warm support and approval of the head of the American Legion and other high officials of the

To all of the above questions, I respectfully submit, an affirmative answer will be found in statements made by the gentleman from South Dakota appearing in the Congressional Record on the following dates: April 15, 17, 23, and 24, while what is known as the Johnson bill was under discussion in the House.

I have not referred to these matters in any spirit of unkindness to the gentleman from South Dakota, because our relations have always been cordial and friendly and will continue so; but my only purpose in recalling these facts in connection with the gentleman's recent fervid and enthusiastic indorsement of the veto message is to let the Record show that every criticism, every objection, and every denunciation found in the President's veto message applies to the bill sponsored and recommended in the House by none other than the gentleman from South Dakota himself.

It is neither fair nor just for the uninformed to infer from the very laudatory commendation of the veto message by the gentleman from South Dakota that what he terms "unfair, unjust, and discriminatory legislation" applies only to what was

done or offered by others.

The gentleman from South Dakota [Mr. Johnson] and the gentleman from Massachusetts [Mr. Luce] have made some reference to politics in connection with the original bill as it passed the House. I respectfully submit that this charge is unwarranted, and that a careful reading of what occurred during the consideration of the bill, as reported by the committee, will show that it was not justified.

The amendment which the gentleman from South Dakota [Mr. Johnson] and the gentleman from Massachusetts [Mr. Luce] vigorously objected to was an amendment offered by the gen-tleman from Mississippi [Mr. Rankin]. The Rankin amend-ment was adopted, however, by a very substantial majority, Members on both sides of the aisle voting for and against it. Certainly there was no politics entering into the adoption of the Rankin amendment. The bill was finally passed by the House in its amended form, with less than 50 votes against it, and constituting this small number opposing the bill were Members from both sides of the aisle. The bill was favorably reported to the Senate by a nonpartisan committee vote and passed the Senate with only six votes against it.

What facts, then, can the gentleman from South Dakota point | to as justifying any charge that politics entered into the passage of this legislation either in the House or Senate?

Permit me in conclusion to say that the pension disability bill passed by the House on yesterday, and which the House was then informed would have the approval of the President, was not only not recommended by the Veterans' Committee of the House when this legislation was recently before the House for consideration, but members of the Veterans' Committee on the majority side gave assurance to the House that it was an inopportune time to consider pension disability legislation and that the American Legion did not favor such legislation. It was my own thought that had the Veterans' Committee of the House given more careful study to some constructive suggestions submitted by General Hines, Director of the Veterans' Bureau, and which sought congressional direction and authority for the bureau to deal more liberally with border-line cases, that the urgently needed relief for a large number of disabled veterans could have been provided for on a fair and just compensation

There are many veterans now suffering from tuberculosis and other disabilities who are clearly entitled to service connection for such disabilities, and it is earnestly hoped that since Congress has now provided that the Director of the Veterans' Bureau shall determine both the law and the facts in connection with such cases, and that rating boards shall hereafter give due consideration to lay facts, that such veterans will now be able to establish service connection for their disabilities. know that the director of the bureau is sympathetic to such cases and will no doubt provide rules and regulations at once to insure a fair and liberal consideration of the same by all rating boards. No one familiar with the history of general pension legislation entertains any doubt that demands will be made at the next session of Congress for increase in rates, and that very soon a pensionable status will and should be given to the dependents of deceased veterans. It is impossible to maintain different standards of pension pay for disabled veterans, and now that Congress has passed general pension legislation the cost of same will unquestionably rapidly increase during the next four years.

Under leave already granted I will insert some provisions contained in the original Johnson bill as reported by the Veterans' Committee and omitted from the bill which the gentleman from South Dakota offered yesterday to meet the objections of the President's veto message. The omitted provisions were embodied, let it be remembered, in a bill sponsored and supported by the gentleman from South Dakota only a few weeks ago, which the House was then informed had strong Legion support, and those provisions then urged but now dropped were subject to every criticism and every fault which the President found with the bill as it passed the Senate. [Applause.]

## TARIFF ON TOMATOES

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. REED of New York. Mr. Speaker, ladies and gentlemen of the House, I have before me the RECORD of June 21, 1930, and I call attention to the remarks of the Hon. CLAUDE FULLER, of Arkansas. He makes the following statement, on the top of

In keeping with the policy of my party and to protect the infant industries of this country, I collected the facts and made the only speech before the committee and the House on canned tomatoes. Under the Democratic tariff law the tariff rate was 25 per cent, but in 1922 the Republicans, evidently through oversight, cut the tariff rate down to 15 per cent and placed a 10 per cent tariff on tin, which caused the tomato-canning industry to become almost insolvent.

This bill originally carried 25 per cent, but after my argument the House and Senate increased the rate to 50 per cent, which is now the This was required to protect the canners on account of Italy being able to employ labor at 8 cents a day and flood the American market with cheap canned tomatoes. In my congressional district there are approximately 100 canneries, and the Ozark region cans 30 per cent of all the tomatoes of the United States. This tariff will benefit the tomato growers and the canning industry and enable them to prosper.

Mr. Speaker, each of us comes from our several congressional districts, acting as the Representative of our people. The Congressional Record is supposed to be the official record which tells the people at home the truth about what we here. I am not raising this point for myself alone, but I ask any fair-minded Representative in Congress, on either side of the aisle, to examine the hearings before the Ways and Means

Committee and to study the Congressional Record, to see whether or not the statement of the Hon. CLAUDE FULLER is I happen to know that men on the Democratic side of the House and on the Republican side of the House were interested in this proposition of an increase in the tariff on tomatoes; that these men were earnest and sincere in an effort to increase the tariff, except those who voted against the tariff bill.

Mr. LaGUARDIA. The gentleman knows that I opposed it consistently.

Mr. REED of New York. I know that. I shall extend my remarks, as I have obtained the privilege to do, and show what I had to say before the Committee on Ways and Means. I want no more credit than others who fought to get the The only difference is this, that many of those who fought for this increase, when the tariff bill came in for a vote, voted for it. The gentleman from Arkansas, Hon. CLAUDE FULLER, when he had a chance to vote, voted against the increase so that if his vote had prevailed, his people at home would have received no benefits whatever.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. Yes.

Mr. GARNER. In view of the fact that the gentleman from Arkansas [Mr. Fuller] is not present and can not speak for himself, I think it is nothing but just to call attention to the fact that he does not claim that the gentleman from New York or anyone else did not appear before the Committee on Ways and Means.

Mr. REED of New York. He said that he "made the only speech before the committee and the House on canned toma-

Mr. GARNER. The only one that made a speech, and the RECORD may be correct in that.

Mr. REED of New York. I have examined it particularly, and that is not correct.

Mr. GARNER. Does the gentleman know what others made a speech?

Mr. REED of New York. I have examined the RECORD and know that others did. One on the gentleman's own side of the House and others made speeches for canned tomatoes.

Mr. KNUTSON. The gentleman from California [Mr. Free]

made such a speech.

Mr. REED of New York. Yes; and the gentleman from Florida, Hon. Herbert Drane, Hon. Clarence Lea, of California, and various others. The Indiana delegation individually and collectively worked for an increased tariff on canned tomatoes

Mr. SHORT of Missouri. The gentleman should also realize that several Members went personally to see members of the Committee on Ways and Means about the matter.

Mr. REED of New York. Yes; the gentleman from Missouri, Hon. DEWEY SHORT, and his colleagues, Hon. DAVID HOPKINS and Hon. Joe Manlove, and others, labored incessently and effectively for the increase. It is manifestly unfair for the gentleman from Arkansas to put into the official Record the claim that he is the only one who made this fight. I call attention to the fact that the Hon. CLAUDE FULLER voted against the tariff bill that carried these benefits to his people. I made the following statement before the Ways and Means Committee:

Mr. REED. Mr. Chairman, the tomato is now recognized as one of the most important vegetables produced in the United States. It is grown on a commercial scale in more than half the States. The manufactured products are chiefly canned tomatoes, tomato soup, tomato paste, tomato pulp, tomato catsup, chili sauce, and pickles.

It has been found that the tomato, either fresh or canned, contains a vitamine which prevents certain diseases of malnutrition common to children.

The total production of tomatoes in the United States has reached dimensions that makes it one of the outstanding agricultural activities of the Nation. In 1927 the total acreage in the United States devoted to tomatoes was 246,030, with a total production of 1,109,000 short tons, valued at \$15,885,000.

It is interesting to note that the price paid by canners in 1918 was \$21.73 per ton, and the total value of the crop that year was \$34,030,000. In 1927 the average price paid throughout the country by canners per ton was \$14.32 and the total value of the tomato crop was

The United States census of 1920 shows that tomatoes for commercial purposes were produced on 170,693 farms, with a total acreage of 316,399, or an average of 1.85 acres to the farm. sion in its report, Table 2, gives the acreage, yield per acre, price per ton paid by canners, total production, and value by States for the years 1925, 1926, and 1927. I insert it as a part of this statement:

Table 2.— Tomaloes for manufacture: Acreage, yield per acre, price per ton paid by canners, total production, and value by States for the years 1925, 1926, and 1927!

State	Acreage			Yield per acre (short tons)		Production (short tons)		Price per ton paid by canners		Total value					
	1925	1926	1927	1925	1926	1927	1925	1926	1927	1925	1926	1927	1925	1926	1927
Arkansas California Colorado Delaware Illinois Indiana Iowa Kentucky Maryland Michigan Missouri New Jersey New York Ohio Pennsylvania Tennessee Utah Virginia Other States	49, 800 2, 000 39, 150 32, 000 13, 550 8, 560 4, 780 11, 829 6, 850	11, 630 32, 250 2, 350 11, 700 5, 270 49, 990 3, 850 6, 950 37, 000 1, 800 9, 850 8, 000 3, 370 8, 200 2, 630 6, 600 3, 370 8, 200 2, 630 6, 600 3, 370 8, 200 2, 630 6, 600 3, 370 8, 200 3, 200 6, 200 8, 2	11, 510 28, 760 2, 250 15, 000 5, 110 42, 990 4, 080 17, 930 28, 000 10, 500 3, 440 10, 000 3, 740 8, 450 6, 530 3, 440 10, 000 3, 740 8, 450 8, 450	3.0 6.0 8.5 5.3 3.8 4.5 3.7 4.0 5.8 3.5 7.0 6.8 6.0 6.0 18.0 18.0 18.0 18.0 18.0 18.0 18.0 18	2.5 6.4 7.5 2.0 3.5 3.3 3.0 2.5 4.8 5.0 2.5 4.8 5.0 7.0 3.0 7.0 3.5	3.0 6.2 5.0 5.1 4.4 3.8 4.5 3.2 4.5 5.2 6.5 5.2 6.5 5.2 9.3 4.2 3.2	61,000 180,000 25,800 106,000 29,100 303,000 13,500 38,200 249,000 137,000 224,000 92,100 51,400 23,600 123,500 55,100	29, 100 206, 400 17, 000 23, 400 21, 100 175, 000 12, 700 20, 800 64, 000 153, 600 49, 200 10, 100 24, 600 10, 100 24, 600 11, 100 24, 600 11, 100 21, 000 9, 100	34, 500 178, 300 11, 200 76, 500 22, 500 163, 400 20, 900 151, 400 9, 900 35, 900 145, 600 70, 600 45, 000 24, 500 24, 500 24, 500 25, 700	\$13. 65 16. 29 11. 50 16. 27 12. 33 12. 79 14. 55 13. 46 15. 97 11. 91 13. 52 17. 00 16. 31 13. 09 16. 00 15. 39 11. 98 16. 19	15. 61 12. 00 20. 00 13. 44 12. 60 12. 88 12. 25 13. 90 11. 80 11. 80 11. 80 11. 20 13. 40 13. 40 13. 42 10. 00 12. 73	\$12.76 15.00 12.00 14.00 13.98 13.08 14.29 13.08 14.23 12.13 12.87 18.00 14.92 12.45 14.24 13.95 11.00 13.75	\$833, 000 2, 932, 000 1, 725, 000 1, 725, 000 359, 000 3, 875, 000 196, 000 1, 502, 000 673, 000 1, 502, 000 673, 000 1, 480, 000 1, 480, 000 892, 000	\$345, 000 3, 222, 000 211, 000 468, 000 2, 205, 000 164, 000 255, 000 1, 234, 000 758, 000 3, 133, 000 430, 000 135, 000 135, 000 330, 000 184, 000 267, 000	\$440, 00 2, 674, 00 134, 00 1, 071, 00 315, 00 2, 134, 00 273, 00 2, 162, 00 462, 00 462, 00 462, 00 462, 00 26, 621, 00 1, 053, 00 266, 00 342, 00 333, 00 110, 00
Total or average	349, 930	261, 500	246, 030	5. 1	3.8	4.5	1, 772, 200	992, 300	7, 600	15. 24	13.60	14. 43	312, 000 26, 164, 000	124, 000	15. 885. 00

1 Source: Vol. 4, No. 12, Crops and Markets-U. S. Department of Agriculture.

This table visualizes clearly the magnitude of the tomato industry in each of the States.

New York State in 1927 had a total acreage of 10,540, a total production for that year of 70,600 tons, valued at \$1,053,000. The price paid by the canners to the farmers of our State in 1927 was \$14.92 a ton. The average price for the past five years paid per ton for tomatoes in Chautauqua County, Cattaraugus County, and Eric County, N. Y., has been \$15. About 500 acres in these three counties are devoted to growing tomatoes. The average yield for the past five years has been 614 tons per acre. This makes the average total receipts per acre \$93.75, but how about the cost of producing an acre of tomatoes?

3,500 plants, at \$7 per thousand	3. 00 4. 00 15. 00
Hauling, at \$2.25 per ton	14. 06 7. 81
Total cost per sore	102 12

These cost items do not include interest on the investment, wear and tear on equipment, nor does it take into account the law of diminishing returns, which is a very important factor in this particular farm activity.

At this point I wish to call the committee's attention to a statement taken from Bulletin 412, published by the Cornell University Agricultural Experiment Station, Ithaca, N. Y.:

"The return per hour of labor spent on the crop is shown in Table 57. These figures are for a year when the yield per acre was better than the average. With a yield per acre of 7 tons, the cost per ton on these farms in 1920 would have been about \$21.85 and the return per hour of labor would have been about 39 cents. This was 3 cents less than the average cost per hour of labor and was practically the cost per hour of all hired labor."

Table 57 .- Return per hour of labor on tomatoes on 133 farms in 1920

	Orleans	Niagara	Chautau- qua	All farms	
Return per hour	\$0.74 .45	\$0.54 .44	\$0.39 .38	\$0.55 .42	
Profit per hour	. 29	. 10	.01	. 13	

On page 56 of the Cornell Bulletin, referred to, is this statement:

"Between 75 and 80 per cent of the total tonnage was produced at or below a cost of from \$21 to \$22 a ton. This tonnage was grown by 61 per cent of the producers on 64 per cent of the acreage."

This statement has reference to a survey of 138 farms to determine variations in the cost of producing tomatoes. The survey was not made for the purpose of procuring a tariff on tomatoes; therefore it is an impartial study of the subject.

The fact that over 40 canners, purchasing tomatoes at the price mentioned—that is, \$15 per ton—have failed or gone out of business during 1927 because they could not make money indicates that something is radically wrong. The cost of producing tomatoes shows that the farmers are no longer able to make a profit, which may in part account for the reduction in acreage devoted to tomotoes, from 261,500 in 1926 to 246,030 in 1927.

The greatest competitor the United States has in tomato production is Italy. In 1926 Italy had an acreage of 94,172 and a production of 583,447 tons. There were in 1926 approximately 600 factories engaged in canning and preserving in Italy, with a capital investment of over \$44,000,000 in this industry. The products of the canning industry rank sixth in the list of Italian exports. The best official information I have been able to find on the subject is to the effect that the canned tomato industry in Italy is organized principally for export trade rather than domestic consumption. In 1926 there was shipped into the United States from Italy 128,037,000 pounds of canned tomatoes and 93,872,000 pounds of tomato paste, making a total of 221,909,000 pounds.

The following table indicates clearly the rapid increase in the imports of tomato paste from 1922 to 1927:

Tomato paste, United States imports for consumption, September 22, 1922, to December 31, 1927, inclusive 1

	Pounds	Value	Value per pound
Sept. 22 to Dec. 31, 1922	1, 867, 555	\$204, 447	\$0. 109
	7, 139, 441	753, 779	. 106
1924	10, 125, 583	962, 393	.095
1925	18, 484, 464	1, 661, 101	
1928	15, 912, 247	1, 502, 831	. 103
1927	13, 857, 335	1, 423, 729	

1 More than 99 per cent of the imports came from Italy.

Official figures show that 12.36 per cent of the consumption of canned tomatoes in the United States in 1927 was supplied by imports. We have serious competition from Mexico, Cuba, and the British West Indies. The amount of fresh tomatoes imported into the United States from these countries in 1926–27 was 124,439,000 pounds. It is apparent that the amount of fresh tomatoes, canned tomatoes, tomato paste now entering this country from Italy, Cuba, Mexico, and the British West Indies supplant our domestic product to that amount.

When we consider Italy we find 600 canning factories, a capital investment of \$44,000,000, approximately 60,000 people employed in the canning industry, 200,000 people raising fruits and vegetables used by the canneries; the value of the output annually is \$115,800,000—and this vast competition with our products fostered by a royal decree under date of February 8, 1923.

I respectfully submit that this large domestic industry, built up in over half the States of this country, not only as a farm industry but as a canning industry with a large investment in both, should not be subjected to a competition so serious as to destroy it. The only protection which can be given to this industry is an adequate tariff, one that will offset any governmental aid which the tomato industry in Italy is receiving under royal decree and insure our farmers a profitable return for their labor and investment, after taking into consideration the items which I have set forth in the earlier part of this statement.

## EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks in the Record on the veterans' legislation just passed, this permission to extend to the close of the session.

to the close of the session.

The SPEAKER. The gentleman from Michigan asks unanimous consent that all Members may have the privilege of ex-

the close of the session. Is there objection?

Mr. GARNER. Mr. Speaker, I ask that that request go over until later in the afternoon.

Mr. MICHENER. I withdraw the request.

#### BOBBY JONES

The SPEAKER. Under the order of the House the Chair recognizes the gentleman from Georgia [Mr. RAMSPECK] for

Mr. RAMSPECK. Mr. Speaker, the State of Georgia has produced many notable men in its history as a State, and I rise to address this House to-day on the accomplishments of one of those men. We have in our State a man who has achieved fame unequaled by any other.

On the second day of next month, on Wednesday, July 2, the great city of New York, recognizing the fame which has come to this gentleman from Georgia, has through its mayor, the Hon. James Walker, appointed an official welcoming committee, headed by the Hon. Joseph Johnson, himself a former resident of the State of Georgia, to go down the bay and meet the steamer Europa when it arrives in the harbor of New York to welcome back to America the Hon. Robert Tyre Jones, jr., better known as Bobby Jones, the king of all the golfers of the universe. [Applause.]

Mr. Speaker, the citizens of Atlanta acclaim this champion golfer to such an extent that they are preparing a special train which will leave Atlanta next Monday, and that train will contain a representative delegation of the leading citizens of that city, headed by the Hon. John S. Cohen, Democratic national committeeman from Georgia. They will go to New York and welcome this distinguished son of Georgia.

Mr. Speaker, Bobby Jones has achieved in golf something that nobody has ever before achieved. He holds to-day three of the four major championships of the United States and Great Britain. He is the open champion of America, and he is the open champion of Great Britain. He also holds the British amateur championship. The last two honors he has acquired within the last 30 days, and in addition thereto he has won many other honors in golf competitions in Great Britain and America. In 10 years he has won 11 major championships in golf competitions.

Beyond all that, Bobby Jones is admired and loved by the people who know him best on account of his modesty and the manner in which he has worn his honors and fame. He has played with the Prince of Wales and other dignitaries. But all of this notoriety has had no effect on his modesty or saneness. I am sure that no man will contradict me when I say that the achievements which this man has attained have brought to the United States a great measure of good will, not only on this side of the waters but in Europe. The people admire Bobby Jones for what he is. [Applause.]

I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.
Mr. RAMSPECK. Mr. Speaker, in this day when manufacturers recognize good will as an asset worth millions of dollars, it seems to me not out of place to call the attention of the House to the international good will created for the United States by a distinguished citizen of Atlanta.

His accomplishments and his fame achieved in international sports competition has done more, in my opinion, to create a friendly feeling for our country in foreign lands than the combined efforts of all of our diplomats.

Mr. Speaker, I refer to Robert Tyre Jones, jr., of Atlanta, master golfer, affectionately known to millions of devotees of the game as Bobby Jones.

His accomplishments in winning the admiration and friendship of millions in other lands have been surpassed by no American citizen. He is admired and acclaimed in every nook and corner of our own United States, being recognized by all as typical of the best example of American character and sports-

In this respect he is similar in many respects to our great American eagle, Lindbergh. They have many traits of character that are similar.

In spite of the world-wide honors he has received, including entertainment and association with royalty and other high officials of many lands, Bobby Jones has maintained his poise and common sense. He has kept his feet on the ground, has accepted his fame with wonderful modesty, and has absolutely refused to use his honors for the purpose of making money.

In this respect the master golfer and the American eagle have reflected great glory upon the United States and have set an example in America worthy of our best traditions. They are

tending their remarks on veterans' legislation from now until an inspiration to all of us who deplore the tendency, all too common in this age, of putting money above all things else.

On Saturday, May 31, 1930, Bobby Jones won the British amateur championship, thus completing his record. In less than 10 years this man, now only 28 years of age, has attained a record in golf never before achieved by any other player.

In speaking of this accomplishment, Grantland Rice, the wellknown sports authority, says:

But Bobby Jones to-day is the only golfer who ever won the open and amateur championships of both Great Britain and the United Statesthe four national titles which happen to be the last words in match and medal play golf. There now are no more golfing worlds for him to conquer.

At the age of 28 he has won 10 national titles against the best amateurs and the best professionals in his game, and he still has three more national titles to shoot at this year—the British open at Hoylake later on in June, the United States open at Interlachen in July, and the United States amateur at Merion in September.

Bobby already has broken one record by winning all four major titles. Now he has a chance to break another by winning three of the four major titles in one year, something no one ever has done.

The wonderful record made by Bobby Jones over a period beginning at the age of 14 years is as follows:

RECORD OF BOBBY JONES IN OUTSTANDING BRITISH AND AMERICAN GOLFING COMPETITIONS SINCE 1916

#### 1916

United States amateur: Jones qualified with a sensational 74 for the first round and an 89 on the second at the Merion Cricket Club, Haverford, Pa. He defeated E. M. Byers and F. W. Dyer, veteran stars, in the first two rounds and lost to Bob Gardner, 4 and 3, in the third round. Gardner eventually was runner-up to Chick Evans. It was here that Bobby Jones became known as the "Kid Wonder."

## 1919

United States amateur: Jones, after two years of exciting experiences in Red Cross matches throughout the country, returned to competition at Oakmont. Qualifying with 159, he defeated J. H. Manion, Bob Gardner, Rudy Knepper, and W. C. Fownes, jr., to reach the final. Here he lost to S. D. Herron, 5 and 4. Thus, in his second attempt at a national title, the Atlanta youngster went as far as the final round.

## 1920

United States amateur: At Engineers, Jones tied for the medal with F. J. Wright, jr., with 154. In the first round he defeated J. Simpson Dean, following with victories over Wright and F. W. Dyer. He lost in the semifinals to Francis Ouimet, 6 and 5, Ouimet bowing in the final to Chick Evans.

United States open: This was Bobby's first venture in open competition against the giants of the professional ranks, the scene being Inverness, at Toledo, Obio. With rounds of 78 and 70, a final round of 73 would have carried him to a tie. He wound up, however, with 77, for a total of 229, four strokes behind the winner, Ted Ray, of England.

## 1921

British amateur: Upon his first invasion in quest of British golf crowns, of which in subsequent years he was to win four-three open and one amateur-Jones met with indifferent success. In the fourth round at Hoylake, scene of yesterday's great triumph, he lost to Allan Graham in the fourth round.

British open: At St. Andrews the Atlantan withdrew after scoring 78 and 74, dissatisfied with his playing.

United States open: In the tournament at Columbia Country Club, Chevy Chase, Md., a final round of 77 spelled Bobby's doom, for he was in the running with 78, 71, 77 for the first three rounds. total of 303 tied him for fifth place, four strokes behind the winner,

United States amateur: Qualifying with 151 at the St. Louis Country Club, Jones triumphed over Clarence Wolff and Dr. O. F. Willing, but lost to Willie Hunter, 2 and 1, in the third round. Hunter bowed in the next round to Bob Gardner, who lost to Jesse Guilford in the title

United States open: A youthful ex-caddie named Gene Sarazen flashed a 68 on the final 18 at Skokie, leaving Jones 1 stroke behind at the finish in a tie with John Black, the winning score being 288. Bobby shot a superb 73 on the last stretch, but it was not sufficient to match Sarazen's inspired flash. This was his closest bid for the open crown to date.

United States amateur: Once again the quarter finals proved Bobby's nemesis in the amateur at Brookline, the Atlantan bowing to Jess Sweetser, 4 and 3. It was Sweetser's year, Big Jess, of Siwanoy, going on to defeat Chick Evans for the title.

Walker Cup: This was the first year of the international matches between the United States and England, the play being over the National Golf Links at Southampton. Jones won in the singles from Roger Wethered, 3 and 2, and paired with Sweetser in the foursomes to defeat Hooman and Torrance, 3 and 2. The United States won, 8 to 4.

1923

United States amateur: At Flossmoor Bobby qualified with 149, tying for the medal with Chick Evans. He defeated T. B. Cochran and then encountered an inspired Max Marston in the second round. In this match Marston played only one hole all day above par. On the thirty-fifth green he had at 12-foot putt to halve the hole and win the match. The putt was true all the way and Bobby succumbed by 2 and 1. Marston won the title, defeating Sweetser in the final.

United States open: The "7-year drouth" for Robert Tyre Jones,

United States open: The "T-year drouth" for Robert Tyre Jones, jr., ended at Inwood Country Club, Inwood, Long Island, on July 15. Since 1916 he had been shooting at golf's chief prizes, only to miss. At Inwood he turned in scores of 71, 73, and 76 and began the fourth round 3 strokes ahead of Bobby Cruickshank. His 76 on the last 18 while Cruickshank was taking 72 resulted in a tie at 296. In the playoff Jones won with 76 to 78. Bobby's finish was an epic in golf, his spectacular midiron shot to the green from the rough landing 7 feet from the cup and giving him a 4, while Cruickshank took 6. Thus Bobby, at 21, won his first national title.

1924

United States open: At Oakland Hills Jones ran second with 300, 3 strokes behind Cyril Walker.

United States amateur: The first amateur title for Jones came to him at the Merion Cricket Club. After turning back in succession W. J. Thompson, D. Clarke Corkran, Rudy Knepper, and Francis Ouimet, he overwhelmed George von Elm in the final, 9 and 8.

Walter cup: Jones won his singles match in the international amateur series at Garden City, defeating Maj. C. O. Hezlet, 4 and 3, but in the foursomes he and W. C. Fownes, jr., met defeat at the hands of Michael Harris and Robert Scott, 1 up. The United States won, 9 to 3.

1925

United States open: Once again play-off was necessary to decide this event, with Bobby and Willie Macfarlane, of Oak Ridge, the actors in the drama at Worcester, Mass. Each had finished the regulation 4 rounds with 291. Jones had overcome a 4-stroke deficit on the last round to catch Macfarlane. In the play-off Macfarlane turned in a 72 to Bobby's 73 to win the championship.

United States amateur: Thwarted in the open Bobby did better two months later in the amateur at Oakmont. He swept aside William Reekle, Clarence Wolff, and George von Elm in order, then crushed Watts Gunn in the final, 8 and 7.

192

British amateur: At Muirfield Jones defeated C. B. Ormerod, Colin C. Aylmer, H. M. Dickson, J. Birnie, jr., and Robert Harris, but lost to Andrew Jamieson in the sixth round, 4 and 3. Here it was that Jess Sweetser rose to heroic heights, defeating Alex Simpson for the title, the first native-born American to capture the British amateur.

British open: Qualifying with the astounding scores of 66, 68 at Sunningdale—still a target for all who place that course—Bobby went on to St. Anne's and became the first American amateur to win the open title, with a 72-hole aggregate of 291. It was also his first championship won on British soil. Jones had come from behind to slip in ahead of Al Watrous by two strokes.

Walker cup: In the international matches at St. Andrews, won by the United States, 6½ to 5½, Bobby triumphed in the singles over Cyril Tolley, 12 and 11, and won in the foursomes with Watts Gunn, defeating Tolley and Jamieson, 4 and 3.

United States open: Following upon his triumphs abroad, the Atlantan set a hot pace at Scioto, finishing one stroke ahead of Joe Turnesa to capture the honors with 293.

United States amateur: At Baltusrol Jones found himself once again in the final, with George Von Elm his opponent. Bobby had beaten B. A. Jones, jr., William Reekie, Chick Evans, and Francis Ouimet before facing Von Elm, who won by 2 to 1.

1927

British open: St. Andrews was the setting for Bobby's second victory in the British open. Twelve thousand persons were througed around the last hole when he rapped in a 3-inch putt to capture the title with 285, a record score for that classic. Aubrey Boomer and Fred Robson tied for second with 291.

United States open: Jones was off his stride at Oakmont and finished with 309, eight strokes behind the leaders, Tommy Armour and Harry Cooper, Armour winning the play-off for the title.

United States amateur: A third national amateur title was annexed by the southern wizard at Minikahda. He put out Maurice McCarthy, jr., Eugene Homans, Harrison R. Johnston, and Francis Ouimet, then defeated Chick Evans in the final, 8 and 7.

1928

United States open: Finishing in a tie at the end of the regulation 72 holes with Johnny Farrel at Olympia Fields, each with 294, Bobby

ran second to the Quaker Ridge pro in the play-off for the title, 143 to 144

United States amateur: Brae Burn brought Jones his fourth amateur title and his eighth national crown when he defeated T. Philip Perkins, then British amateur champion, in the final, 11 and 9. His victims before the final round were J. W. Brown, R. R. Gorton, John B. Beck, and Phillips Finlay.

Walker cup: At the Wheaton international matches Bobby defeated T. Philip Perkins in the singles, 13 and 12, and, paired with Chick Evans, won from Hezlet and Hope, 5 and 3.

1929

United States open: Sinking his famous 12-foot putt on the eighteenth green at Winged Foot for a final round of 79, which enabled him to tie Al Espinosa with an aggregate of 294, Bobby proceeded to crush the Chicago pro in the play-off with a typical display of par-wrecking golf, scoring 141 for the 36 holes against Espinosa's 164. This marked Bobby's third national open title.

United States amateur: Jones's defeat at the hands of Johnny Goodman, unheralded Omaha youngster, in the first round at Pebble Beach is still fresh in the memories of golf fans. Bobby had tied with Gene Homans for the medal. Goodman took a 3-hole lead at the start and never relinquished his hold, winning by 1 up on the eighteenth. The Omaha boy was eliminated in the next round by J. Lawson Little, 2 and 1.

1930

Walker cup: In the international matches at Sandwich, won by the United States, 11 to 1, Jones paired with Doctor Willing to defeat Torrence and Hartley in the foursomes, 8 and 7, and defeated Roger Wethered in the singles, 9 and 8.

British amateur: This tournament was Bobby's main objective. It was the only major championship he had never held. He had a stiff fight in the first round at St. Andrews when Sidney Roper shot 15 4s and a 5 at him, but Bobby played supergolf to get a 3-and-2 victory. Bobby had it easier against Cowan Shankland, but Cyril Tolley carried him to the nineteenth hole before he was able to put the British champion out. G. O. Watt gave Bobby a breathing spell in the fifth round, but Harrison R. Johnston, United States amateur champion, pressed him hard before he was able to win, 1 up. Eric Fiddian was next to fall before the Atlanta genius, and then George Volgt, who also carried Bobby to the last green. Jones's ambition was realized when he overwhelmed Roger Wethered in the final, 7 and 6, while 20,000 frenzied fans cheered madly.

British open: Jones became both British amateur and open champion yesterday when he led the field at Hoylake with a score of 291. It was his eleventh national title.

In making this record, Bobby Jones has not faced an easy task. He first had to conquer himself. That this was true and that he has succeeded only adds to the glory that is his. A tribute to him in this respect is contained in an editorial appearing in the New York Times of June 3, which is, in part, as follows:

MORE THAN A GOLFER

Mr. Robert T. Jones, as the formal British score boards have it, must be sighing now for more golf worlds to conquer. The last one, so long his objective, so long eluding him, has now fallen to his prowess. But in finally winning the British amateur championship he has conquered something more than the best players that Great Britain could oppose to him. He has set the final seal upon the conquest of himself. There is almost scriptural warrant for saying that he that ruleth his own spirit is greater than he that taketh a city-even when that city is St. Andrews. For it is well known that in his early golfing career, as boy and youth, Bobby Jones was petulant, irascible, passionate, explosive. It was all very well for him to learn how to handle a club, but he also had to learn how to handle himself. This he has achieved, by a splendid example of self-mastery, until to-day he is not only a model of sportsmanship in his bearing but a man whose poise and self-control are never shaken by the slings and arrows of outrageous fortune on the golf links.

This helps explain why Jones has become an international figure. It is not only that he is acclaimed the finest golfer who ever lived, being now unrivaled in his record of championships won at home and abroad. The evidence is strong that he is as much loved as a man as he is admired and wondered at as a golfer. The Scotch are not a demonstrative race, but they are fond of golf and still fonder of Bobby Jones. Whether in victory or deteat, he bears himself with smiling modesty, and is regarded on every links of Great Britain which he visits as not only a competitor but a gentleman and a friend. With the most scrupulous care, be it added, Mr. Jones has kept his amateur status without taint or suspicion. No one has ever accused him, as some others have been accused, of capitalizing skill at golf. Double congratulations are in order when such a man attains the full measure of fame which has now, pressed down and running over, come to Bobby Jones.

That the good will created for the United States is being recognized throughout the Nation is evidenced by the following editorial appearing in the Charlotte News, Charlotte, N. C., as reprinted in the Atlanta Constitution:

BOBBY JONES IS HERO TO ENGLAND'S PEOPLE

(The following is reprinted from an editorial appearing in the Charlotte News, Charlotte, N. C., on May 27)

From golf to diplomacy is a step which may seem at first glance too incongruous for inclusion in one and the same article. Indeed, it is very much like calling on the sports writer to do a column on the treaty, or like asking the society editor to cover a ball game, but, nevertheless, your attention is called, unless it is already engaged in the same direction, to the activities of Mr. Bobby Jones, now engaged in the British amateur play.

Of course Bobby is a golfer rather than a diplomat. His costume is the plus fours of the links rather than the cutaway of the conference table; his implements the mashie and the putter rather than pen and ink. His specialty is making shots, rather than an attempt to curtail such actions; yet do not limit his effectiveness to an extent evidenced only by a perennial grasp on the Walker cup.

To the British, you know, Bobby is almost as much a hero as he is to his native countrymen. They stampede after his matches, they write columns on his play, describing each shot in detail and marveling at his execution. The Prince of Wales plays golf with him, and the

privilege is as much Wales's as it is Jones's.

How fortunate that this exponent of American golf and, consequently, America is a fine, upstanding, admirable person such as we know the champion to be. It is only reasonable to suppose that wherever he goes he heightens the prestige with which Americans are regarded and does much by his sustained nonprofessionalism to dissipate the impression that we are a nation of money grabbers lacking in ideals. For our part we consider his worth commensurate with that of our leading ambassadors.

Mr. Speaker, I deem it a great privilege to number among my constituents this outstanding citizen of our country. This admirable, modest, worth-while character should be an inspiration to every boy in the United States, and his victory is made all the greater because of his saneness in the face of such a glorious record.

On June 20, 1930, Bobby Jones won the British open tournament, thus becoming the holder of three major golf titles, a record never before achieved in the history of the game.

In referring to this latest victory, an Associated Press dispatch from London says:

JONES CALLED GREATEST GOLF GENIUS IN HISTORY

LONDON, June 21.—There were no reservations in the admiration bestowed to-day by the British press upon Bobby Jones, victor in yesterday's British open golf tournament finals. Nor was there any expression of sour grapes in the golfing vineyard over his success at the expense of British players.

"The greatest of all living golfers," "The greatest golfing genius of all time," were among the encomiums showered upon the victor to-day, while one writer suggested humorously that he be conceded both amateur and open championships for life and automatically presented two cups yearly.

"This would restore the competitive spirit to golf," he said.

In his column, The Sportlight, Grantland Rice comments upon Bobby's latest victory as follows:

THE SPORTLIGHT
By Grantland Rice
THE TRIPLE KING

Within the next 10 days Bobby Jones will return to this country wearing three of the four major crowns of golf, a record beyond the dream of any mere mortal before his advent in the ancient game. It is an incredible achievement, when one considers the mental, physical, and nerve combinations that controls this game, which is entirely different from any other sport.

This triple record, the United States open, the British apen, and the British amateur, means not only an almost complete mastery of form and style, but almost a mastery of self—of unbroken concentration and determination against the wear and tear of nerve exhaustion.

Winning the British amateur over such a rough road must have sapped a large supply of his nervous energy.

Even as fine and as easy going a golfer as George Voigt paid the price of semifinal success in Great Britain by slipping badly in the Metropolitan amateur this week.

Yet, after this heavy drain upon his nerve reserve at St. Andrews, Bobby Jones had enough left to return and win the open at Hoylake from a brilliant field, feeding dust to such great golfers as Horton Smith, Leo Diegel. Mac Smith, Archie Compston, Henry Cotton, Fred Robson, Jim Barnes, and others who have been through no such ordeal before the test.

Every golf stroke played in an open championship is not only dependent on form but also upon an unbroken concentration and an un-

ending struggle against discouragement and mental weariness as the battle moves along.

Bobby Jones has now won two of the four major tournaments of golf and he has won them both over foreign turf. He now returns to battle for the two main prizes left—the United States open at Interlachen in July and the United States amateur at Merion in September. He has a good chance now to win the four premier crowns of the game in one year against the best professionals and the greatest amateurs of the world.

His appearance at Interlachen Country Club, Minneapolis, in July will make this championship one of the most notable competitions in the history of sport. Whether or not he can survive the triple wave remains to be seen, but he has at least fought his way into a position to smash every golf record entered on the books of time.

Atlanta is justly proud of Bobby Jones. In the homes of its 350,000 citizens he is loved and admired, not only for the glory that is his, not only for the fame he has brought to his native city, but most of all for the manner in which he wears the crown of victory and the title, "Master golfer of history."

That the Nation joins Atlanta in its pride in Bobby Jones's wonderful achievements is evidenced by the following press comments compiled and published by the Washington Star:

PRIDE IN BOBBY JONES'S CROWN EXPRESSED BY WHOLE NATION

Bobby Jones, as the unrivaled monarch of the golfing world, is made the subject of universally friendly comments on his recent brilliant success in adding the British amateur championship to his other trophies in this country and abroad.

Happy phrases in complimentary vein are found in papers throughout the country. "The climax to the career of Jones will be greeted with enthusiasm wherever golf is played," says the Pittsburgh Post-Gazette. The new title "makes his golf diadem complete," asserts the Cleveland Plain Dealer. "Certainly the young man from Atlanta is a marvel, and he has made sure of a most distinguished niche in the golfers' hall of fame," exclaims the Manchester Union, while Little Rock (Ark.) Democrat sums up its opinion in the words, "Undeniably the king of them all."

His is not the fate to be a prophet without honor in his own country, for the Atlanta Journal waxes eloquent in his praise, saying, "Cœur de Lion of the links, king of the sport of princes, golf emperor of the world, starry son of Atlanta, we salute you," and the Atlanta Constitution proudly avers that his "unprecedented performances have fixed his fame in the popular international sport and set a mark for all aftercomers on the links to shoot at, with faint hopes of becoming his peer."

The Indianapolis Star concedes that "other stars will flash across the firmament," but asserts that "Bobby Jones undoubtedly will go down in the records as one of the greatest players the popular game has ever produced." Confessing that "Bobby is our hero," the St. Joseph Gazette declares, "We like to see him win." The Jersey City Journal calls him "the pride of America and the paragon of amateurism," while the Springfield Union places him as "one of the greatest golf champions of all time." The Salt Lake Deseret News sees him as having "brilliantly fulfilled every expectation," and the Flint Daily Journal cries, "He is the Lindbergh of golf, or the flying colonel is the Jones of aviation, depending on the viewpoint."

That to reach the position he occupies to-day Bobby Jones has had to conquer not only the game but himself is referred to by a number of editors in their reviews of his career. Says the Milwaukee Journal of the recent event on the links of St. Andrews: "Jones, standing there, probably remembered the day, nine years before, when in a fit of temper he tore up his card on St. Andrews because the ball had not fallen as he wished. It was only when he became the cool, imperturbed player that he succeeded." And "this transformation has been the result of arduous self-discipline and a continuous quest of self-control," says the Kalamazoo Gazette, which states further that "it is only by mastering himself that Bobby has succeeded in mastering the royal and ancient game."

The Kansas City Times recalls that years ago Chick Evans predicted of Bobby Jones that "here was a boy who might go far if he could only subdue his temper," and the Times notes that Jones "recognized his fault and conquered it, as he had conquered the delicate health that first sent him to golf for outdoor exercise." The New York Sun says of the champion's career, "Perseverance is all that copybook maxims have said it to be." And the Dayton Daily News declares his latest achievement was "another evidence of his complete self-control, or rather the power over self," adding, "It has taken a long time to produce this Jones, and it may take longer to bring another."

The New York Times speaks of him as "a splendid example of self-mastery," and describes him as "not only a model of sportsmanship in his bearing but a man whose poise and self-control are never shaken by the slings and arrows of outrageous fortune on the golf links."

As to his newly won championship, the Lynchburg Daily Advance calls it "no pyrrhic victory," but the reward "that comes from a grueling,

nerve-racking week of hard play," and affirms that "the crown rightly rests upon the brow of Georgia's favorite son." The Roanoke Times quotes and approves the statement of Roger Wethered, who was defeated in the final round by Bobby Jones, "There goes a real champion of golf." The Chattanooga News, placing him "at the pinnacle of golfing fame," says, "Perfect coordination of body and brain alone could have carried him there." As the New York Herald Tribune puts it, "Knowing what was expected of him at St. Andrews, Jones faced the worst of hazards-the mental one-without flinching."

"The Jones record, unequaled in the annals of golf, is the more remarkable because of the nature of the sport in which it obtains. For golf is not a sport in which a reasonable margin of superiority guarantees victory," the Cleveland News explains, and asserts, "Greater the glory of Jones." The completeness of the Jones victories is stressed by the St. Paul Pioneer Press with the statement: "In winning the British amateur golf championship Jones has won the only major golf trophy he had left to win, and becomes the first golfer to have held all the major titles the game affords-the British and American open and the British and American amateur championships." And the Appleton Post-Crescent notes that now Jones has "won every national and international championship worth going after," and is "in a class by himself."

The popularity of the victory on both sides of the water is most pleasing to the American press. The Baltimore Sun rates Jones as 'a great favorite" both in this country and in England, as does also the Springfield Republican, which notes that "True art knows no national bounds, and the British particularly admire perfection in Of the Scots the Columbia State remarks: "All of us joke about the 'nearness' of the Scots. But who more generous in tribute to excellence? Golf is their game, but they are as appreciative of its great master from Atlanta as they would be were he native of their own country." In fact, the Chicago Daily Tribune asserts that the Scots are said "to regard him with a sort of awe, a wholly generous admiration of a player who always has enough golf for the situation which requires it."

The Duluth Herald sums up American sentiment in the words: "It is great to have an American win this splendid victory. It is greater still that it has been won by this quiet, modest, unspoiled young man who, before he is a golfer, is a true sportsman and a true gentlemanwhich are, after all, much the same thing."

Bobby Jones learned to play golf on the East Lake course of the Atlanta Athletic Club, a fine 18-hole layout. This course has now been extended to 36 holes under the direction of Mr. Scott Hudson, the able president of the club.

Atlanta has numerous other fine golf courses, including both country clubs and municipal links. The weather in Atlanta is ideal for devotees of this game, there being very few days in the entire year when it is not possible to enjoy the sport.

Tourists will find a hearty welcome at the golf courses of the largest city in the Southeast, Atlanta, where hotels unsurpassed will serve them, in the land of southern hospitality.

## CLASSIFICATION OF CIVILIAN POSITIONS

Mr. LEHLBACH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 215), insist on the House amendments, and agree to the conference asked by the

The SPEAKER. The Clerk will report it. The Clerk read as follows:

A bill (S. 215) to amend section 13 of the act of March 4, 1923, entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," as amended by the act of May 28, 1928.

The SPEAKER. Is there objection?

Mr. O'CONNOR of Louisiana. Mr. Speaker, I wanted to ask the chairman of the Civil Service Committee whether that bill covers the people who entered the service since the Welch bill, and if it does not cover them, why it does not cover them?

Mr. LEHLBACH. Because the situation it seeks to correct is not applicable to those who came in the service since the Welch Act. Under the Welch Act, effective July 1, 1928, a new series of pay rates within the grades in the classification is set up.

It was provided that the employees within the grades should be at the same relative rate in the new pay schedules as they were under the old schedules. As the number of pay rates in some of the grades in the Welch Act did not coincide with the number in the old law this could not mathematically be made possible, and the result was that in certain cases the employees in a grade received \$120 annual increase and others in the same grade and in the same office received only \$60. This makes the increase a uniform \$120, and is applicable only to those who

were cut off under the act of May 28, 1928. Those who entered the service subsequently are not affected.

Mr. O'CONNOR of Louisiana. I thank the gentleman for his answer to my inquiry.

The SPEAKER. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House, Mr. Lehlbach, Mr. Smith of Idaho, and Mr. JEFFERS.

Mr. PERKINS. Mr. Speaker, I submit a privileged resolution from the Committee on Accounts of which I ask immediate adoption.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

#### House Resolution 275

Resolved, That there shall be paid, out of the contingent fund of the House, not to exceed \$10,000 for the expenses of the select committee appointed under authority of House Resolution 258 to investigate the campaign expenditures of the various candidates for the House of Representatives in both parties.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. PERKINS. Yes. Mr. BLANTON. Wh Why does not the gentleman get his colleague [Mr. Cable] to get permission from the Speaker to move to dispense with the rules and pass his Cable bill applying it to primary campaigns as well as regular elections? This proposed investigation is a mere gesture. It spends money and will accomplish nothing.

Mr. PERKINS. My experience is that it is usually well to get others to help us to do something. I would like my col-

league to assist.

Mr. PATTERSON. This resolution has nothing to do with the fundamental resolution which passed the House. This is merely from the Committee on Accounts.

Mr. BLANTON. If you pass the Cable bill and apply it to

the primaries then you will accomplish something. And the Speaker has authority to recognize Mr. Cable to call up and pass his bill under suspension of the rules. Mr. PATTERSON. It is all right with me, but this has

nothing to do with it.

The SPEAKER. The question is on agreeing to the resolution. The resolution was agreed to.

# DEATH OF A FORMER MEMBER

Mr. McCORMACK of Massachusetts, Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK of Massachusetts. Mr. Speaker, it is with deep regret that I announce to the Members of the House the death yesterday of Hon, William Sarsfield McNary, a former Member of this body, who served in the Fifty-eighth and Fiftyninth Congresses, representing the same district that I now have the honor to represent in this body. It was with deep personal regret that I received word of his death. His entire life was devoted to his country, State, and city, and he loved the district that he so ably represented in this body, particularly South Boston, the section of Boston that he was closely identified with during his life. He was an outstanding, constructive figure in the political and business life of Boston.

The late Congressman was a constructive thinker and a brilliant orator. His service to the public through the holding of elective offices dates back to 1887, when he was elected a member of the Boston City Council, being reelected in 1888; in 1889 and 1890 he served in the Massachusetts House of Representatives; he was a member of the Massachusetts State Senate in 1891 and 1892, water commissioner of the city of Boston in 1893 and 1894; again a member of the Massachusetts House of Representatives, 1900 to 1902; delegate to various Democratic national conventions up to and including 1928; and elected to the Fifty-eighth and Fifty-ninth Congresses, and was not a candidate for renomination in 1906.

I note some of the Members present who served in the Congresses that the late Congressman served in and who remembered his brilliant service and achievements, and I know that they receive this announcement with great regret and join with me in extending to his family our heartfelt sympathy in the great loss that they have sustained.

Speaking for myself, personally, and as the Representative in Congress of the district that the late Congressman so ably represented at one time, it is with deep regret that I have received the news of his death.

## PATENT FOR CERTAIN LANDS TO J. R. MURPHY

The SPEAKER. The Clerk will call the Private Calendar beginning with the star.

The first business on the Private Calendar was the bill (H. R. 11820) to authorize issuance of a patent for certain lands to J. R. Murphy.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, want to ask the gentleman from Montana whether all five of the amendments which were submitted and suggested by the department have been incorporated?

Mr. LEAVITT. They have been incorporated.
Mr. BLANTON. They have been incorporated in the present bill?

Mr. LEAVITT. Yes. I also have the original deed which was mentioned in the request.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent to J. R. Murphy for lands described as the south half, section 33, township 28 north, range 43 east, Montana principal meridian.

With the following committee amendment:

Page 1, strike out all of lines 3 to 6, inclusive, and insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed, in his discretion, to issue a patent to J. R. Murphy, of Nashua, Mont., for the south half of southeast quarter, and southeast quarter of the southwest quarter of section 33, township 28 north, range 43 east, principal meridian, Montana, containing 120 acres, which land is embraced in the reinstated homestead entry, Great Falls 054658, the oil and gas in the land to be reserved in accordance with the provisions, conditions, and limitations of the act of March 3, 1927 (44 Stat. 1401)

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MAJ. MARTIN F. SCANLON, LIEUT. COURTNEY WHITNEY, AND LIEUT. ALFRED B. BAKER

The next business on the Private Calendar was the bill (H. R. 481) for the relief of Maj. Martin F. Scanlon, Lieut. Courtney Whitney, and Lieut. Alfred B. Baker.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. Lehlbach). Is there

objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, this bill is disapproved by the War Department, and the War Department claims that these officers, one of whom is a major, should have been familiar with the regulations which require consolidated messes

Mr. PATTERSON. Will the gentleman yield?

Mr. BLANTON, I yield. Mr. PATTERSON. In or In order to save time, I will say that I Mr. PATTERSON. In order to save time, I will say that I am going to ask that this bill be passed over.

Mr. BLANTON. If it is bad, it ought not to be passed.

Mr. FITZGERALD. Will the gentlemen withhold their ob-

jection until I make a short statement?

Mr. BLANTON. Certainly. Mr. FITZGERALD. I am greatly concerned in this matter, not because of any personal relationship to these men, nor because of any acquaintance with them, but because the situation in which these officers found themselves reminds me of Army experiences, and I appreciate that to hold men to the irrefutable presumption that they must know all the laws and regulations works great injustices. These men had been placed on duty at intervals, and there was an inspector who should have called at Bolling Field to guide them and straighten the matter out. inspector never came until long after, and then claimed two messes had not been consolidated, as required by a regulation unknown to these young men. These young men were inadequately paid. All of them except the major to whom my colleague alludes have been compelled to give up the Army as a career, as many of our best flyers have, because there was no chance for them there. They were punished so severely in this matter that I felt this Congress in its wisdom ought to recognize facts and treat them with reasonable consideration. Of course, they are presumed to know the law, just as we all are, but such knowledge is equally, of course, impossible.

Mr. BLANTON. I want to suggest to my colleague that this very major, if he had been sitting as a member of a courtmartial in the trial of one of his privates who had disobeved regulations, would have probably put him in durance vile for a year or so.

Mr. FITZGERALD. I quite agree with my colleague.

Mr. BLANTON. But in view of the fact that my colleague is deeply concerned about it personally and it amounts to so little. I shall not object.

Mr. FITZGERALD. I was down at Bolling Field and knew about it.

Mr. BLANTON. I shall withdraw my objection.

The SPEAKER pro tempore. Is there objection?
Mr. STAFFORD. Reserving the right to object, I understand this is a matter that is of peculiar concern to the Committee on Military Affairs. On another occasion I have suggested to the distinguished chairman of the Committee on Claims that when claims are filed which involve the technique of the War Department, the Committee on Claims should decline to give consideration to such claims, but should have them referred to the Committee on Military Affairs. I do not like to interpose objection on the ground of jurisdiction of the committees. The Committee on Claims has jurisdiction of this matter, but I think it would be much better if matters arising out of a technical violation of military regulations were referred to the Committee

on Military Affairs.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. LAGUARDIA. I may say that I had a personal expendence of the control of the con rience similar to that which this officer had in the Air Service. I was hundreds and hundreds of miles from the nearest quartermaster. I had 700 American boys to feed, and we had to feed them. We could not draw food from the quartermaster, so we just went out and bought it. I was called from the aviation instruction center up to Tours, France, to explain why I was not feeding these men according to regulations, when it was not physically possible to feed them according to regulations. So I want to tell the gentleman that these rules with regard to messing sometimes are simply impractical, and you have got to feed your men. If this officer failed to consolidate two messes, there might have been a condition that he simply could not meet. It is a small amount, and I have sympathy with them, because

I know what it means. You have to feed your men.
Mr. GREENWOOD. Will the gentleman yield?
Mr. LAGUARDIA. I yield.
Mr. GREENWOOD. Would there be any opportunity for an officer under such circumstances to graft, or to sell the food, or anything like that?

Mr. LAGUARDIA. I am glad to say I think that very rarely

happens in our Army.
Mr. GREENWOOD. It would simply amount to the fact that they were getting double rations and that those people might temporarily fare a little better?

Mr. LAGUARDIA. Of course, I do not know the particular

conditions in this case.

Mr. BLANTON. It was just a question of extravagance in not consolidating the messes. There was no question of graft involved. It was simply a question of consolidation to save expense.

Mr. Laguardia. Perhaps they did not have the facilities. Mr. PATTERSON. The gentleman from New York has been an officer in the Army.

Mr. LaGUARDIA. I sympathize with these officers because I have been through the same experience.

Mr. PATTERSON. The gentleman feels that this claim should be paid?

Mr. LAGUARDIA. I do. Mr. ROWBOTTOM. Mr. Speaker, regular order.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States, the accounting officers of the Treasury, and the accounting officers of the War Department be, and they are hereby, authorized and directed to credit the account of Maj. Martin F. Scanlon with the sum of \$286.90, the account of Lieut. Courtney Whitney with the sum of \$192.51, and the account of Lieut. Alfred B. Baker with the sum of \$94.39, said amounts having been ordered deducted from their pay by reason of failure to have consolidated two messes of the Air Service of the United States Army at Bolling Field.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### JULIAN E. GILLESPIE

The next business on the Private Calendar was the bill (H. R. 9205) for the relief of Julian E. Gillespie.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Julian E. Gillespie, former special disbursing agent, Department of Commerce, the sum of \$688, out of money in the Treasury not otherwise appropriated, on account of expenditures made by him in good faith upon Government business, which were disallowed by the General Accounting Office, and repaid to the Treasury out of the private funds of said Julian E. Gillespie by direction of the Comptroller of the United States.

With the following committee amendment:

In line 11, after the word "comptroller," insert the word "general."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN HOMESTEAD ENTRYMEN IN WYOMING

The next business on the Private Calendar was the bill (S. 2189) for the relief of certain homestead entrymen in the State of Wyoming.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the

present consideration of the bill?

Mr. GREENWOOD. Mr. Speaker, reserving the right to object, I would like to ask whether it is the usual custom to credit improvements made on one claim on another claim, as is asked in this instance.

Mr. CARTER of Wyoming. This was unusual, as the gentleman understands. There is a lot of merit in this bill. This was a group of ex-service men who, after the war, made a homestead entry. They applied to the register-receiver of the land office and they accepted their money and allowed their entry. They went on this land and made residence and improvements and found it was a mineral withdrawal. It was erroneously allowed, and what they are asking in this bill is to allow the time that they spent on this land to count in their favor if they take out another homestead, and they are allowed two years in which to take this out.

Mr. GREENWOOD. I was seeking information. If I caught the gentleman correctly, after making the improvements, it was found this land was such that it should not have been

thrown open to entry.

Mr. CARTER of Wyoming. Not to homestead entry. It was

a mineral withdrawal.

Mr. GREENWOOD. And the improvements were made under that mistake, and this is to correct the mistake by giving them credit on another claim or on another entry for the improvements they made under this mistaken idea of the law in the first instance.

Mr. CARTER of Wyoming. That is it exactly. Mr. O'CONNELL. This bill was written, as I understand, by the Commissioner of the General Land Office.

Mr. CARTER of Wyoming. It has been recommended by

the Commissioner of the General Land Office.

Mr. O'CONNELL. And approved by the Secretary of the Interior?

Mr. CARTER of Wyoming. It is approved by the Department of the Interior.

Mr. BLANTON. I want to ask the gentleman a question under reservation of objection. There are certain amendments that were suggested by Mr. Commissioner Moore, which were approved by the Secretary of the Interior. Have those amendments been agreed to?

Mr. CARTER of Wyoming. They are in the Senate bill.

Mr. BLANTON. All of them have been put in the bill? Mr. COLTON. Yes. Mr. BLANTON. With that understanding, I shall not object.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to permit the persons named in section 2 of this act, whose homestead entries for lands in the Salt Creek oil field, Natrona County, Wyo., were canceled after residence had been established and improvements made and who had complied with the provisions of the applicable law as to residence and improvements upon said entries, to exercise their homestead rights on any public lands in the State of Wyoming subject to entry under the homestead laws, and in connection with final proofs upon the lands so entered, to credit the entrymen residence performed and improvements made upon their said original canceled entries: Provided, however, That all selections or entries authorized herein shall be made within two years from the date of the approval of this act.

SEC. 2. The following persons shall be entitled to the benefit of this act: Lewis M. Brown (former application No. 024868, Douglas, Wyo., series); Robert Wheeler (former application No. 024886, Douglas, Wyo., series); Armin H. Ziehlsdorff (former application No. 024888, Douglas, Wyo., series); James L. Brown (former application No. 025254, Douglas, Wyo., series); Rex Snyder (former application No. 027064, Douglas, Wyo., series); Tom Bales (former application No. 025137, Douglas, Wyo., series); David Roy Shidler (former application No. 026919 and 026920, Douglas, Wyo., series); and Claude Collett (former application No. 024870, Douglas, Wyo., series).

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### HARRIET C. HOLADAY

The next business on the Private Calendar was the bill (S. 3231) to compensate Harriet C. Holaday.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Mr. Speaker, I object.

# WILLIAM BEFUHS, ALIAS CHARLES CAMERON

The next business on the Private Calendar was the bill (H. R. 6197) for the relief of William Befuhs, alias Charles Cameron. There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws William Befuhs, alias Charles Cameron, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private in Company B, Twenty-eighth Regiment Massachusetts Volunteer Infantry, on the 31st day of May, 1865: Provided, That no pension shall accrue prior to the passage of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William Befuhs (deceased), otherwise known as Charles Cameron, who was a member of Company B, Twenty-eighth Regiment Massachusetts Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 31st day of March, 1864: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

## CONCRETE STEEL COMPANY

The next business on the Private Calendar was the bill (H. R. 8461) for the relief of the Concrete Steel Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object, Mr. Speaker. Mr. SOMERS of New York. Will the gentleman reserve his objection?

Mr. BLANTON. Certainly; I will be pleased to do that, Mr. SOMERS of New York. I will be pleased to answer the gentleman's objection if he will present it.

Mr. BLANTON. My objection follows the recommendation our Government official, James C. Davis, Director General of the United States Railroad Administration, who states:

I believe these creditors have been very fairly and justly treated by the Government and are not entitled to any further relief.

I think he probably knew more about it than any Member of the Congress whose attention is diverted here on the floor by other matters.

Mr. SOMERS of New York. That is perfectly true, and I agree with the gentleman to that extent, and I will say that at first blush I was very much inclined to feel as the gentleman does about this matter. However, when the details of the case were brought to me I found the position the Government officials were taking was purely a position based on technical law and

not on the justness of the case.

Mr. BLANTON. If my colleague were in the court room representing a client who was seeking to recover a judgment of \$10,000 or more from some defendant, he would expect an orderly trial, going into the merits of both sides of the controversy, and then would expect to have a jury go out and deliberate upon the facts in the case and then bring in a verdict that would be consistent with justice.

But you are asking, without careful consideration, in face of an adverse report by the War Department, to give this claimant \$10,000.

Mr. O'CONNELL. As a matter of fact this case has gone before a jury—the Committee on Claims has given it very careful consideration and unanimously reported it.

Mr. BLANTON. In the face of an adverse report by the department.

Mr. O'CONNELL. The gentleman from Texas has done that

Mr. BLANTON. Members of the committee have other duties to perform—they have to send out year books and bulletins and

answer letters, all those things—they do not have time to consider all these matters.

Mr. SOMERS of New York. The whole thing comes down to

Mr. BLANTON. Does the gentleman mind letting the bill

Mr. SOMERS of New York. I feel very keenly about the bill.

Mr. O'CONNELL. The gentleman knows that if it goes over it will not be reached again this session.

Mr. BLANTON. Has the gentleman from New York carefully considered the facts in this case?

Mr. SOMERS of New York. I have considered them most carefully.

Mr. STAFFORD. Further reserving the right to object, I have read very carefully the report. Here we have a claim of the defunct Caldwell-Marshall Co., who contracted to build concrete barges for the use of the Erie Canal, also defunct, for \$66,000, and it was settled for \$30,000. At the time of the settlement an attorney, Mr. Hendry, of Washington, was present, who now claims that there were some material men who were not taken care of. I read from a letter of the Director General Davis:

At the time the adjustment with the contractor was made, Mr. Hendry, representing the creditors of the contractor, agreed upon a certain adjustment of the claims which he represented, and, when the settlement was consummated, a separate check was issued for the amount Mr. Hendry had agreed to accept in settlement of the claims represented by him, and payment was made direct to Mr. Hendry on account of the creditors he represented, and whom this bill is now proposed to relieve.

It appears to me, in this situation, that these creditors of Caldwell-Marshall Co. should receive no further consideration from the Government. The whole matter was in dispute, and the railroad administration went to the pains of attempting, as far as it was able, to see that the creditors of the contractor were notified of this adjustment, and that they were paid the amount they agreed to accept in settlement.

So far as either legal or equitable rights are concerned, I do not believe these claimants have any right to compensation from the Government. The act of February 24, 1895, refers to bonds taken where formal contract is entered into:

"For the construction of any public building, or the prosecution and completion of any public work, or for repairs upon any public building or public work."

I do not believe, under the conditions of the original contract entered into with the Caldwell-Marshall Co., for the construction of four concrete barges, this contract had for its purpose the construction of a public building or the prosecution and completion of any public work, in the sense in which these terms are used in the statute, and the contract with the Caldwell-Marshall Co. did contain a general provision for an indemnifying bond for the protection of claims of laborers or material men. The bond that was furnished was not broad enough in its terms to cover claims of this character, but this failure on the part of the officers who had immediate charge of this matter would not create any legal liability against the Government for the claims of labor and material men, and it was certainly their duty, if they did not rely upon the good faith and credit of the Caldwell-Marshall Co., to see that a proper bond was furnished.

Aside from this it will set a very dangerous precedent, in my judgment, to start relief bills of this character, as growing out of the tremendous number of business transactions had with the Railroad Administration during the 26 months of Federal control there will undoubtedly be a great flood of claims of this character, many of them without merit, that will be urged upon Congress.

I believe these creditors have been very fairly and justly treated by the Government and are not entitled to any further relief.

Yours truly,

JAMES C. DAVIS, Director General.

That letter is dated May 12, 1922. This attorney who was the claim agent or claims attorney of certain of these material men was present at the time the settlement was made when the Government paid over \$30,000.

Mr. SOMERS of New York. And he protested against it.

Mr. STAFFORD. Now he comes in and wants this settlement vacated, in effect, and this Government held liable to pay the material men whose claims were included in that settlement.

Mr. SOMERS of New York. That settlement was made over his protest. This company supplied the materials in good faith and in good faith they ought to receive payment.

Mr. STAFFORD. I will examine the report further, and for the time being I will ask to have this go over without prejudice. The SPEAKER pro tempore. Objection is heard and the Clerk will report the next bill.

## MICHAEL CARTER

The next business on the Private Calendar was the bill (H. R. 7917) for the relief of Michael Carter, deceased.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Michael Carter, who was a member of Company A, Thirty-seventh Regiment Wisconsin Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 27th day of November, 1864: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### CARLTON OLIN, ALIAS STEPHEN CEBRA

The next business on the Private Calendar was the bill (H. R. 5787) for the relief of Carlton Olin, alias Stephen Cebra.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Carlton Olin, who was a member of Battery B, Fourth Regiment United States Artillery, having enlisted under the name of Stephen Cebra, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 2d day of November, 1865: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

Line 5, before "who," insert the name "Carlton Olin."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table. The title was amended.

## WILLIAM MARKS

The next business on the Private Calendar was the bill (H. R. 10136) for the relief of William Marks.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William Marks, who was a member of Company A, Eighteenth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 26th day of November, 1902: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

Page 1, line 5, after the word "Marks," insert "also known as William Marsh."

The committee amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read: "A bill for the relief of William Marks, also known as William Marks."

# CONTRACTORS AND SUBCONTRACTORS FOR POST-OFFICE BUILDINGS

The next business on the Private Calendar was the bill (H. R. 11850) to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Depart-

ment, and for other purposes," approved August 25, 1919, as amended by act of March 6, 1920.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. I notice in this report that it is no different from other reports from the Committee on Public Buildings and Grounds, in that it does not contain any report from the Secretary of the Treasury. I think that is sufficient cause to have the matter go over. We should certainly have the viewpoint of the department which the bill affects, and we usually do have, so that we may consider the matter from their viewpoint to determine whether there is merit in the bill.

Mr. ARENTZ. Mr. Speaker, I rose to reserve the right to

object for the same reason.

Mr. WHITEHEAD. Mr. Speaker, there were reports in other cases exactly like this, and I assume that the committee took it for granted that the Members would be familiar with those reports: I have one of them here.

reports: I have one of them here.

Mr. LANKFORD of Virginia. The report in this case would be exactly like that in others. It is to this effect:

In view of the facts above set forth, this department refrains from making any recommendation relative to the proposed legislation, as it would seem to involve a question of policy which Congress alone should determine.

Mr. PATTERSON. If these people are entitled to this, let us bring in a general bill and establish the policy and give it to all of them.

Mr. ARENTZ. This legislation will not provide directly for reimbursement. It gives the contractors a chance to prove their claims.

Mr. PATTERSON. We have passed two or three of these bills heretofore, and if these people are entitled to compensation, as I think they are, why not bring in a bill and shape a policy and give it to all of them?

Mr. WHITEHEAD. There are only a very few cases left like this. Mr. Elliott, the chairman of the committee, will tell you, as he told me, that there are very few cases left undisposed of, and the Secretary of the Treasury in one of these reports, in the Stillwell case, I think, and in the Mahoney Construction case, a bill introduced by the gentleman from Maine [Mr. Beedy], said that very few cases were left open, and I do not think it would be necessary to have a general bill.

Mr. O'CONNELL. This simply gives the right to go before

the department and prove the case.

Mr. STAFFORD. Mr. Speaker, until we have the Secretary's letter incorporated in the report, I think the bill should go over. I object.

## ADA T. FINLEY

The next business on the Private Calendar was the bill (H. R. 675) for the relief of Ada T. Finley.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I am disposed to object to this bill because I do not think there is any claim here against the Government or that the Government is in any way responsible to reimburse this claimant. As I read the report and understand the matter, this woman was accepted as a nurse in 1920. At that time she had a valvular heart trouble. She stayed in the service as a nurse until 1926, when she was separated from the service. She now asks to be reimbursed by having the United States Employees' Compensation Commission reconsider her case so that she can be paid so much a month, claiming that during her service her heart condition was aggravated by walking in the performance of her duty. I can not reconcile myself to the belief that the Government is in any way responsible to this claimant.

Mr. TARVER. Mr. Speaker, if the gentleman will carefully

Mr. TARVER. Mr. Speaker, if the gentleman will carefully read the report of the committee, he will ascertain that at the time of the induction of this good woman into the service under the Veterans' Bureau as a follow-up nurse she had a minor heart trouble, but that at that time it was not sufficient to in any way interfere with the performance of her duties. He will further observe that from the report of the physician under whose direction she performed her labors the character of duties performed by her was such as to tend to aggravate a disability of the character from which she suffered, and he states as his professional opinion, from his observation of her performance of her duties, and from her breakdown while working under his direction, that her disability was aggravated by the performance of her duties and that her retirement from the service was occasioned because of the disability so aggravated. Will the gentleman permit me to read from the statement of Dr. J. D. L. McPheeters?

Mr. BACHMANN. I am familiar with the statement that he made, and I refer the gentleman to the statement wherein the employees' compensation committee referred the matter to

a board of medical examiners to review the case, and they found there that her condition was not aggravated by her service as a purse

Mr. TARVER. In that connection let me suggest this: The report of the Employees' Compensation Commission states in the following words the finding of the medical board:

That there was nothing to indicate that Miss Finley's disability was caused by the conditions of her employment.

That statement is made in the face of the statement of the only physician who came in contact with her during the course of her employment, to the effect that it was aggravated by reason of the duties performed by her.

I recall that on June 13 you passed a bill without objection, H. R. 4176, for the relief of Charles W. Reed, an employee of the Department of Agriculture, who contracted tuberculosis, not while in the service, but two or three years after his discharge from the service; and the same employees' compensation commissioner reported that in his opinion the disability was brought about because of the service of this employee.

In this particular case you have a disability arising in the actual course of the employment, and you have the attending physician testifying that it was brought about by the employment, and in the other case you have the beneficiary, three years after his discharge, making a claim, and you pass a bill to pay that claim.

Mr. BACHMANN. I do not know anything about the bill the gentleman refers to. I had nothing to do with it.

Mr. TARVER. I think if the gentleman has any objection to urge now, he should have made an objection when the Reed bill was before the House. This is only a bill of the same character as that and other bills that were passed without objection. That has been done at this session.

Mr. BACHMANN. I have not allowed such bills to pass. Why should we have the Federal employees' commission down there decide upon a case and after that commission has turned it down why should Congress overrule the commission on the merits of the case? Why should we give the claimant the right to submit a claim after that process has been gone through?

Mr. TARVER. This Congress, by unanimous consent, permitted the passage of several measures of the same character, including the one I referred to a while ago. I ask, gentlemen, why their vigilance awakens at this particular moment, after lying dormant for months that have passed during which similar legislation has been enacted?

Mr. BACHMANN. I do not think the Government should

reimburse these claimants.

Mr. TARVER. Has the gentleman evidence contradicting the evidence of Doctor McPheeters to the effect that her disability arose during her service and was occasioned thereby? I refer to the record. General Hines, the director of the bureau, also reports that she was separated from the service because of her becoming physically disabled and unable to perform the duties of her employment.

Mr. BACHMANN. She already was in that condition when she went into the service. She admits it in her own statement, Mr. TARVER. The record shows that at that time she was physically able to perform her duties; but, then, the report shows that later on she was unable to perform her duties.

Mr. BACHMANN. If you will look at the matter from the standpoint of the Federal Employees' Commission you will see that the commission had the medical board consider this case, and they held that Miss Finley's trouble was not materially aggravated by her occupation.

Mr. TARVER. The board of medical officers to whom you refer examined the evidence only of Doctor McPheeters and the report of the director of the bureau. That is all they had before them, and it contains nothing to show that the disability did not arise in the service.

Mr. SCHAFER of Wisconsin. If the gentleman from West Virginia is not going to object, I will object. If we are going to establish the precedent of reviewing cases that have been acted upon by the Employees' Compensation Commission we should have it definitely understood. I object.

The SPEAKER pro tempore. Objection is heard.

## KATE CANNIFF

The next business on the Private Calendar was the bill (H. R. 2059) for the relief of Kate Canniff.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I would like to ask the gentleman whether the five amendments the department recommended have been inserted in the bill? I see the department has recom-

mended that five amendments should be carried in the bill. Are they incorporated in the bill?

Mr. IRWIN. Yes.

Mr. STAFFORD. Reserving the right to object, I understand that after the claimant's husband received this injury he was continued for a long time in the employ of the Government. After long years and years, after he has passed away, the good widow thinks she should get some honorarium for the same accident for which the Government has compensated him by reason of carrying him on the pay roll of the Government.

He did not die as a result of the injury. He died as a result In the State of Montana I understand of Bright's disease. many people are subject to Bright's disease by reason of local

conditions prevailing in that State.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. For the time being I ask that this matter be passed over without prejudice,

The SPEAKER pro tempore. Objection is heard.

Mr. EVANS of Montana. Will the gentleman withhold his objection for a moment?

Mr. STAFFORD. I will withhold it. Mr. EVANS of Montana. Mr. Speaker, this bill has passed the Senate no less than seven times, once in each Congress for the last seven Congresses. There is upon the Speaker's desk now a similar bill. It seems not to have been acted upon because nobody gave it any attention. It is not a case arising in my district. I do not have any interest in it particularly. bill was introduced by the gentleman from Illinois [Mr. Brrr-TEN], and the committee of which the gentleman from Ohio [Mr. FITZGERALD] is chairman reported the bill. One of the Senators informed me the bill was on the calendar to-day and asked me to give it some attention.

I think the bill is meritorious, judging from the reports in both the House and the Senate. I think the bill should not be

objected to.

Mr. STAFFORD. This man received a slight injury in the service. The Government recognized there was some obligation owing him by reason of this injury, and they continued to give him employment for more than five years. Then the man died of Bright's disease

Mr. FITZGERALD. Will the gentleman yield?
Mr. STAFFORD. I yield.

Mr. FITZGERALD. I may state that the favorable report on this bill was not due entirely to the fact that the Senate had passed it in many Congresses and that it had been neglected for years in the House. If my colleague will examine the RECORD he will find that this was a serious injury which oc-curred at Maumee Bay on Lake Erie. This man was seriously injured. One of his legs was crushed and broken, and a joint was dislocated, and the leg had to be amputated. The amount of this bill is largely for two artificial legs that were bought. It is true the Government gave him a small job afterwards, but the gentleman will notice the man only received \$50 a month, barely enough to maintain life for himself and wife. He suffered extreme exposure in his work after the loss of his leg. He was wet through, and exposure brought upon him this disease, in connection with the shock which occurred in connection with the crushing and amputation of the leg. His leg was crushed by a chain attached to a buoy, by which he was dragged overboard from the boat when the accident occurred.

The Government tried to do something for him by giving him employment at \$50 per month, but he died before anything had been paid to him which would be equivalent to adequate compensation for the injury. He only received \$50 a month. It is

a pitiful case.

Mr. STAFFORD. I am indebted to the gentleman, and I think the gentleman from Montana is indebted to the gentleman from Ohio for presenting facts that really show this is a severe case, and that perhaps the injury which he suffered was not sufficiently compensated for by the fact of his employment for five years

Mr. EVANS of Montana. I am very grateful to the gentle-

man from Ohio.

Mr. IRWIN. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. IRWIN. I may say to the gentleman that in this par-ticular instance the doctors' bills and hospital bills were not taken care of. The committee, of which the gentleman from Ohio [Mr. FITZGERALD] is chairman, went into the matter thoroughly and the committee felt there was something more owing to this lady than what was given her while the man was sick and for that reason the committee advised that the hospital and doctors' bills should be paid.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection on the statement made by the gentleman from Ohio, who especially investigated the case,

Mr. EVANS of Montana. Mr. Speaker, I ask unanimous consent that the bill (S. 39) now on the Speaker's table be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the re-

quest of the gentleman from Montana?

Mr. FITZGERALD. Reserving the right to object, is it understood that the House amendment may be appended to the

Mr. EVANS of Montana. There is no objection to that. There was no objection.

The Clerk read the Senate bill (S. 39), as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Kate Canniff the sum of \$1,345, out of any money in the Treasury not otherwise appropriated, in full compensation for the death of her husband, James Canniff, who received injuries April 15, 1901, while in the service of the United States on the lighthouse tender Haze, and as a result of which he died on October 20, 1909.

Mr. FITZGERALD. Mr. Speaker, I offer an amendment. The SPEAKER pro tempore. The gentleman from Ohio of-fers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. FITZGERALD: Page 1, line 10, after the figures "1909," insert the following:

"Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### STEVE FEKETE

The next business on the Private Calendar was the bill (H. R. 4166) for the relief of Steve Fekete.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Mr. Speaker, I object.
Mr. O'CONNELL. Will the gentleman reserve his objection for a moment?

Mr. PATTERSON. I will.
Mr. O'CONNELL. I do not know anything about this case, but the man has been apprehended, and it seems to me that since the man has been apprehended the money should be returned.

Mr. ARENTZ. Especially in view of the fact that the bondsman traveled all over the Lake States trying to find this man. He was responsible for him, and he put up the bond. He was responsible for finding the man and having him arrested by the Federal agents. Consequently, he did all he could.

Mr. PATTERSON. Do I understand he found the man him-

Mr. ARENTZ. Yes. Mr. PATTERSON. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER pro tempore. Is there objection?

Mr. Speaker, I do not intend to object, but Mr. BLANTON. I want to direct attention to the fact that the Department of Labor recommends against this bill. They state: "In view of the facts as above set forth, this department is of the opinion that the claim is without merit." In view, however, of the statement of the gentleman from Nevada [Mr. Arentz], I shall not object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Steve Fekete, of Detroit, Mich., the sum of \$500, which was the amount of a bond given to the United States to insure the departure of an alien, which bond was subsequently declared breached by the Department of Labor and the money covered into the Treasury.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### D. B. TRAXLER

The next business on the Private Calendar was the bill (H. R. 4167) for the relief of D. B. Traxler.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ROWBOTTOM. Mr. Speaker, reserving the right to object, I have an amendment to offer at the proper time.

Mr. BLANTON. Mr. Speaker, I want to ask the gentleman whether or not the amendment he is going to offer is in conformity with what is proposed by the Acting Secretary of War?

Mr. ROWBOTTOM. No; I am going to offer an amendment after the words "South Carolina," in line 7, "in full settlement of all claims," and then I shall offer the usual attorneys' fees provision at the end of the bill.

Mr. BLANTON. Has the gentleman met the amendment that has been suggested by the Acting Secretary of War? That should be met in the bill, should it not? The Acting Secretary of War says:

This proposed legislation has been submitted to the Director of the Bureau of the Budget, who advises that if it is amended as recommended in the preceding paragraph, it will not be in conflict with the financial program of the President.

Has that been taken care of?

Mr. STRONG of Kansas. Yes; that has been taken care of. Mr. ROWBOTTOM. I understand the gentleman has no objection to the other two amendments?

Mr. McSWAIN. I have no objection, but I want to ask the gentleman if he will not agree to substituting the Senate bill for consideration?

Mr. ROWBOTTOM. Are they identical?

Mr. McSWAIN. They are identical. Mr. ROWBOTTOM. Then we will add these amendments to the Senate bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Is there objection to substitut-

ing the Senate bill (S. 2790)?

Mr. BLANTON. Before we pass the objection stage, is the amount in the Senate bill in accordance with this suggestion?

Mr. McSWAIN. To the copper cent; yes, sir. The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$982.70 to D. B. Traxler, president of the Realty Corporation of Greenville, Greenville, S. C., for damages sustained by reason of the failure of the War Department to remove certain obstructions on land leased the War Department near Greenville, S. C., for war purposes by the said D. B. Traxler, president of the Realty Corporation of Greenville.

Mr. ROWBOTTOM. Mr. Speaker, I offer the following amendment: After the word "South Carolina," in line 7, add the words "in full settlement of all claims."

The SPEAKER pro tempore. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROWBOTTOM: In line 7, after the words "South Carolina," insert "in full settlement of all claims."

The amendment was agreed to.

Mr. ROWBOTTOM. Mr. Speaker, I offer another amendment. The SPEAKER pro tempore. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ROWBOTTOM: At the end of the bill strike out the period, insert a comma, and add the following:

"Provided. That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

#### H. H. LEE

The next business on the Private Calendar was the bill (H. R. 7339) for the relief of H. H. Lee.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I expect to object to this bill and every other bill on the Private Calendar to-day, which seeks to reimburse some claimant who was in the service and lost some of his personal effects through fire, while he was rendering service to the Government

I expect to object to every one of the bills of this character, not because I think they should be objected to, I think every one of them should be passed, but I do not think it is fair to object to one of these bills of the same caliber and let the others go through.

I want to call the attention of the gentleman from Wisconsin to No. 472 on the calendar, where a doctor, who was in the Navy, was ordered to stand by and attend the injured because of a fire at Coco Solo, a bill introduced by my good friend and colleague, the gentleman from Virginia [Mr. Montague], and because he was ready to stand by and attend to the injured, he lost his personal effects. The gentleman from Wisconsin objected to that bill being passed.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. BACHMANN. Not now. I will yield in a moment, Mr. STAFFORD. The gentleman says I objected to the bill. Is the gentleman certain I objected to it?

Mr. BACHMANN. I am positive; because I talked to the gentleman about it afterwards.

I see no reason to single out one bill of this kind, where all these men are rendering service, and because they rendered this service they lost their personal effects by reason of fires, either forest fires or fires of some other kind, and then allow other bills of the same character to go through.

Mr. GREENWOOD. Will the gentleman yield?

Mr. BACHMANN. I yield. Mr. GREENWOOD. I objected to two or three of those cases, but I have laid down a rule to guide myself, which I think is proper. If the claimant is engaged in Government service so that he is not permitted to leave that service in order to save his own property-either saving property of the United States while the fire is in progress, or rendering medical service such as the gentleman speaks of, growing out of the fire, then I believe such claims should be allowed.

Mr. BACHMANN. I do too.

Mr. GREENWOOD. But if it is simply a default of insurance and his service has no connection whatever with it, then I think the Government has neither legal nor equitable liability.

Mr. BACHMANN. I agree with the gentleman from Indiana. Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. SCHAFER of Wisconsin. I hope the gentleman will not object to this bill because my colleague from Wisconsin objected to a similar bill. We realize that our colleague from Wisconsin [Mr. Stafford] devotes a great deal of time to the study of the merits of bills on the Private and Consent Calen-He may have desired to make a further study of the legislation in question, and after such study may decide not to object to the bill about which the gentleman complains. I think would be manifestly unfair, both to the gentleman from Wisconsin [Mr. Stafford] and to the Members who have had their bills reported out of committee after very careful consideration, to object to the consideration of one or two or three bills just because a similar bill has been objected to.

Mr. BACHMANN. I want to say to the gentleman that the gentleman from Wisconsin [Mr. Stafford] does as much work on these bills and on the bills on the Consent Calendar as any other Member of this House, and he deserves to be congratulated for his industry and his efforts in that direction. I am not criticizing the gentleman from Wisconsin [Mr. Stafford], but in order to get these facts before the House I am simply calling attention to this situation, and unless I am permitted by unanimous consent to return to Calendar No. 472. I shall object to all bills of the same character.

Mr. BOX. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. BOX. Mr. Speaker and gentleman, I do not believe that | in acting on these bills, as we are doing here, we should reflect on objecting Members when it is presumed, and in nearly every case is true, the objecting Member is trying to do his duty here

when he makes objection.

But in the case to which the gentleman refers—H. R. 596, for the relief of James Floyd Terrell, Calendar No. 472—the gentleman from Texas investigated that case and examined the bill, the supporting evidence, and the itemized statement of items lost, and reached the conclusion that the claimant ought to receive that compensation if the policy of paying this class of claims is followed at all. Of course, this ought to be made uniform. I do not want what I say to be taken in the nature of a criticism of the gentleman objecting.

Mr. BACHMANN. I do not see why anybody can object to the bill offered by the gentleman from Montana [Mr. Leavitt]. I also think the bill introduced by our colleague, the gentleman from Virginia [Mr. Montague] is meritorious.

Mr. BOX. I was talking about the Montague bill.

Mr. IRWIN. Mr. Speaker, I am very glad that this discussion has been made in regard to these bills. The policy of the committee in bills of this kind where the man did any meritorious service, was not in the military service nor in the navai service, but a citizen, and was commanded to look after the property of the Government and had to neglect any property that he might have, was entitled to a compensation.

Mr. BACHMANN. The cases are alike unless you make a

distinction between personal injury and personal property, because if a doctor is ordered to take care and stand by people who are injured and loses his property his case is just as meritorious as the man who is ordered to go ahead and put out

forest fires and thereby loses his own property.

Mr. IRWIN. I agree entirely with the gentleman's statement, but I want to say further that I think the colloquy has brought out the fact that we hear compliments given to Members for objecting to bills. I do not find any fault with that, but I do feel that Members who object ought to go into the merits carefully, and ought to consider each bill on its merit.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. IRWIN. Yes.

Mr. SCHAFER of Wisconsin. Does the gentleman desire Members not to object to bills, and leave the bills pass the House without an opportunity for them to be studied by Mem-I do not agree with the chairman in that regard. I believe that my colleague, the gentleman from Wisconsin [Mr. STAFFORD], is fair in his objections. He studies the legislation, he is protecting the Treasury from unwarranted raids, and that is one reason why the people of his district send him to Congress, and one reason why they are going to vote to send him back again at the next election this fall. [Applause,]
Mr. IRWIN. I am not criticizing the gentleman from Wis-

The gentleman from Wisconsin [Mr. Stafford] has rendered valuable service. I do reiterate that these bills ought to be passed on their merits. I am not criticizing anybody, and I know that Members are giving bills serious consideration.

Mr. BACHMANN. Mr. Speaker, I shall object to the consideration of this bill at this time. I expect to ask unanimous consent to return to another bill, and immediately after we can return to this bill. I ask unanimous consent to return to No. 472 on the calendar.

The SPEAKER pro tempore. The Chair will inform the gentleman that he is not authorized to entertain requests to take

up any bills out of order.

Mr. BACHMANN. I ask unanimous consent in order to expedite the passage of these bills. It will take but a few minutes.

The SPEAKER pro tempore. The Chair reiterates that he

is not authorized to recognize unanimous-consent requests to take up bills out of order.

Mr. BACHMANN. Then, Mr. Speaker, I must object to this

Mr. O'CONNELL. A parliamentary inquiry, Mr. Speaker. The SPEAKER pro tempore. The gentleman will state it. Mr. O'CONNELL. Has not the House the right to go back to

a bill on the calendar by unanimous consent?

The SPEAKER pro tempore. The Chair has stated that he will not recognize unanimous-consent requests to take up bills out of order on the calendar.

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to return to No. 472 on the calendar.

The SPEAKER pro tempore. The Chair declines to entertain

such a unanimous-consent request.

Mr. LEAVITT. Mr. Speaker, this was my bill, and gentlemen discussing it gave me no opportunity to say anything at all.

Mr. BACHMANN. Mr. Speaker, if it is not too late, I shall reserve the objection. I do not want to prevent the gentleman

from discussing the merits of the bill. I made it very plain as to what my view is.

Mr. LEAVITT. I can not believe that the gentleman from West Virginia is going to put himself in the position before this House, of objecting to a bill which he himself says is meritorious, merely to force the gentleman from Wisconsin [Mr. STAFFORD] to permit him to return to a bill the gentleman from Wisconsin has objected to.

Mr. BACHMANN. I do not want to force the gentleman from Wisconsin to do anything. I merely made the unanimous-consent request, and before the afternoon is over I hope the

Speaker will permit that request to be submitted.

Mr. STAFFORD. Mr. Speaker, as I seem to have been drawn into this matter, I think it is only just for me to state that the facts in the two states. that the facts in the two cases are entirely different, from my viewpoint.

The SPEAKER pro tempore. The present occupant of the chair is acting under instructions from the Speaker of the

House.

Gentlemen will not be recognized by the present occupant of the chair to take any bill up out of its regular order, but he suggests to gentlemen that if an accord is informally reached between them, when the Speaker returns to the chair he would undoubtedly recognize gentlemen for that purpose.

Mr. BACHMANN. For the time being I object, and I shall

ask later on in the day to call the bill up out of its order.

#### ANNIE M. EOPOLUCCI

The next business on the Private Calendar was the bill (H. R. 9946) for the relief of Annie M. Eopolucci.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. I reserve the right to object.
Mr. HOPKINS. Mr. Speaker, this is a bill for the relief of
Annie Eopolucci. This bill seems to me to be one of the most meritorious bills that has ever been considered on the Private Calendar. This man was the first man killed by the act of the enemy in the World War. He was serving in the United States Navy as a boatswain and was assigned to the armed guard of the steamship Aztec, which was torpedoed by a German submarine off the coast of France and sunk. The last seen of the man was after he had safely gotten his guard off the ship and into one of the boats. He went back to help some of the merchant seamen get into their boats. He was last seen by the commander in a boat going away from the ship. In the report the gentleman will find the statement from the Shipping Board showing that at that time the regulations required all lifeboats to carry emergency water and food supplies. That boat had water and food supplies enough to last at least for six or seven days. The Navy Department ruled that the man died on the last day that he was seen-April 1, 1917. If the department had not so ruled, he would have come under the automatic retroactive war risk insurance act passed in October, 1917. War was declared on April 6, 1917. This man was last seen on April 1, 1917.

Mr. STAFFORD. Will the gentleman kindly repeat that statement where he says that he would have been entitled to

compensation under certain circumstances?

Mr. HOPKINS. If he had died on April 6 or any time thereafter, he would have come under the provisions of the war risk insurance act, passed in October, 1917, providing that any man who died between April 6 and October, 1917, should be considered to have applied for \$5,000 life insurance, and the mother or the beneficiary he would have named would have been entitled to \$25 a month.

Mr. STAFFORD. How does it happen that no statement of that fact is incorporated in the report?

Mr. HOPKINS. I believe it is.
Mr. STAFFORD. Not in the letter of the Acting Secretary of the Navy

Mr. GREENWOOD. I read the report very carefully.

Mr. STAFFORD. I read the letter from the Acting Secretary of the Navy, which points out that the mother of this sailor received six months' gratuity and was entitled to a pension, but that she had not claimed one because she is a pensioner by virtue of the death of her husband.

Mr. HOPKINS. This woman does not live in my district. She had a husband and two sons. One son was killed in France and she is drawing \$20 a month by virtue of that. She is drawing \$30 a month as a result of her husband having been a Spanish War veteran. She is drawing \$50 a month for having given her entire family to the service of the United States.

Mr. STAFFORD. Where is the statement that if this sailor had died on April 6 he would have been entitled to this compensation?

Mr. HOPKINS. That is the law, and everyone, I thought, was acquainted with that.

Mr. STAFFORD. Where is the reference?

Mr. HOPKINS. We provided in the law that any man who enlisted in the service or who was drafted was considered to have made an automatic application for 120 days after en-

I ask unanimous consent that this may be passed over, so that I may have opportunity to examine the

Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BOX. A question arises in connection with this class of cases with which the Committee on Pensions has had to deal. I call the gentleman's attention to the fact that this man appears to have been in the naval service. If the Committee on War Claims and the Committee on Claims are going to compensate men in any branch of the naval or military service for injury, or their dependents for loss of life, how is the work of those two committees going to avoid duplicating the work under the compensation or pension acts? Here is a man who gets injured and he has to accept the provisions of the pension law or the disability compensation law. Here is another in exactly the same class and he goes before the Committee on Claims or the Committee on War Claims and gets a liberal allowance on a claim, leaving his claim for a pension or other benefits unimpaired. By that handling we would treat men on entirely different bases, although they may have rendered the same class of service, and been injured in exactly the same way. Our committee has thus far refused to deal with any of those cases accruing to men in the military or naval service or their dependents. There are Members here who have bills for the relief of men in the air or regular military or naval service or their dependents, who have felt aggrieved because their claim bills could not be considered. We have felt we ought not to deal with compensation to men in these services or their dependents

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentle-

man from Wisconsin yield?

Mr. STAFFORD. I will yield first to the gentleman from

Texas. He is making an informing statement.

Mr. BOX. The rule in the two different committees may be somewhat different, but I think candidly-and I speak of it as a matter of serious import—that the two Committees on Claims, the Committee on War Claims and the Committee on will have a great deal of difficulty in these matters when these committees go into the refuting of claims dealing with people who are entitled to pensions or other kindred benefits, I find that this particular bill deals with war-risk insurance, which may present a different question. But I want the House and the membership of these two committees to see the danger of complication at this point.

Mr. SCHAFER of Wisconsin. This appears to be a very vicious bill. If this man was killed after the war insurance law went into effect, he would not have received insurance

until he had made the premium payments required.

Mr. HOPKINS. The law applied automatically. who died or were killed were assumed to have taken out insurance. A man died who became sick in February. He became diseased before that.

Mr. SCHAFER of Wisconsin. If you are going to pass special acts to take care of this case and other similar cases, the bill should provide for a direct appropriation from the Treasury and not have the Director of the Veterans' Bureau make payments from the insurance fund.

Mr. HOPKINS. The law provided for two kinds of insurance; that which was deducted from the soldier's or sailor's pay and the other where the soldier contributed nothing. Any man who died between April 6, 1917, and October, 1917, later was considered automatically to have the insurance. The report on this bill says:

Your committee feels that due to the fact that this sailor died as the result of enemy activities, his dependent mother whom he would have named as beneficiary in insurance policy should be given the same rights and privileges as were accorded all other mothers who lost sons between April 6, 1917, and the passage of the war risk insurance act of October, 1917.

Mr. GREENWOOD. Mr. Speaker, will the gentleman yield there?

Mr. GREENWOOD. As I understand this case, this vessel was torpedeed about the 1st of April. All those sallors went down in lifeboats after the torpedoing. We do not know how they died. Six days after that we declared war, and we passed

this law and took in all those people to whom we pay this warrisk insurance.

The only point in issue here is whether this man lost his life on April 7 or lived until later. But on the merits and in equity he ought to be considered on the same basis because he lost his life as the result of a torpedo from the enemy.

Mr. STAFFORD. If we recognize this claim, shall we also go back and recognize similar claims of soldiers and sailors

who were on ships torpedoed previously?

Mr. COCHRAN of Missouri. I would like to call the gentleman's attention to the fact that Congress passed a law providing that the relatives of every man on board the Cyclops should receive \$5,000. That vessel was lost at sea. Nobody knows when it was lost.

Mr. GREENWOOD. Was it lost after the declaration of

war?

Mr. COCHRAN of Missouri. Yes; after the declaration of war; but it was assumed that all on board did apply or would have applied for insurance. Five thousand dollars was allowed in each case. Congressman Igos, of Missouri, introduced that It provided for \$10,000, but was reduced bill, I think, in 1919. by the Congress to \$5,000.

Mr. GREENWOOD. The gentleman from Texas was not talking about the war-risk insurance. This vessel was lost

five days before the declaration of war. Mr. STAFFORD. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

ROBINS DRY DOCK & REPAIR CO.

The next business on the Private Calendar was the bill (H. R. 10635) for the relief of the Robins Dry Dock & Repair Co.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the pres-

ent consideration of the bill?

Mr. BACHMANN. Is there any Member here who is familiar with this bill? Does any gentleman know why this claim was turned down by the Comptroller General?

Mr. O'CONNELL. I did not know that it was turned down

by the Comptroller General. It is recommended by the Sec-

retary of War.

Mr. BACHMANN. The bill was not approved by the Comp-

troller General. The sum of \$7,200 was deducted.

Mr. IRWIN. The view which the committee took of that was this: This company entered into an agreement or contract to do some work for the Government. In this particular case it was a boat. It was utterly impossible to determine the amount of injury to the gear or machinery until after it was torn down. Then after it was torn down they found it was absolutely necessary in order to put the boat in proper condition to do a lot of work upon it.

Mr. BACHMANN. That is the point. Could we know what the situation was before that machinery was taken down by

a study of the specifications?

Mr. IRWIN. No. It was utterly impossible to determine because they could not determine the condition of the machinery on the boat until such time as it was torn down. No person could possibly determine that, but they simply took a chance. After they found out the true conditions of the gears, in order to put the boat in good condition, it was necessary to do this extra work. The War Department recognizes that fact.
Mr. STAFFORD. Will the gentleman yield?

Will the gentleman yield?

Mr. BACHMANN. I yield.
Mr. STAFFORD. I gave some special consideration to the report and to the facts in this case. These contractors contracted to do this work when the vessel was at sea. They had no acquaintance whatsoever with the character of the work, except they thought that the condition of the gears would be such as would generally get out of order during a voyage. When the ship came to the yard it was found that the gears were damaged entirely out of the ordinary, something very exceptional. The War Department admitted that the condition was entirely exceptional, and that the claim for liquidated damages for doing this extra work was not well merited. They did the work expeditiously. There was no delay whatsoever. The only delay was occasioned by the exceptional condition of the gears. I think we would be penalizing the ship people for making arrangements to expedite the repair of a ship at sea, which no one knew anything about, if we should hold these contractors to account for something of which they had no

knowledge and could not possibly comprehend the condition.

Mr. BACHMANN. Is the gentleman satisfied that this is a

proper and just claim?

Mr. STAFFORD. I think it is a just claim. Mr. PATTERSON. Will the gentleman yield? Mr. STAFFORD. I yield.

Mr. PATTERSON. How is it possible for them to claim that they should have extra compensation for something they could not know about and then object to penalizing them in the It looks to me as though they were going both ways.

Mr. STAFFORD. If the gentleman will permit, here is a private shipbuilding corporation called upon by the War Department, by reason of injury to a ship at sea, to make arrangements for the hurried repair of the ship.

Mr. O'CONNELL. An emergency job. Mr. STAFFORD. An emergency job, to put the gears in condition. They assumed that the gears are out of condition, such as would result from an ordinary passage. But, when the vessel docked, they found the condition of the machinery was something very exceptional, and because of the exceptional character of the work required it was absolutely necessary to take a longer time. There is no charge that there was any unnecessary delay. The delay was necessitated by the extra work required because of the exceptional damaged condition of the gears

Mr. PATTERSON. The diligence of my colleague from Wisconsin is such that his recommending a bill is very helpful and weighs heavily with me, but I want to say that many of these men who had work to do for the Government along about this time found numerous ways to do extra work and charge more money

Mr. IRWIN. I think the gentleman will agree that this was an extraordinary case and these contractors wanted to honestly do the work. I think this claim should be paid.

Mr. BACHMANN. The gentleman from New York is also of the opinion that this is an absolutely just claim?

Mr. O'CONNELL. I do. I have studied the matter quite thoroughly.

Mr. GREENWOOD. Is the chairman of the committee satisfied that, not only the extra work, but also the liquidated damages are included in this item? Under the circumstances, the amount should include both items.

Mr. IRWIN. I think it should; yes. Mr. BACHMANN. If it includes one it should include both,

because the delay was caused by the extra work,

Mr. Speaker, in view of the statement of the gentleman from Wisconsin, who carefully studies and examines all bills on the Private Calendar, that this is a proper bill to pass; and, further, in view of the statement of the gentleman from New York [Mr. O'CONNELL] that he has gone into the matter, I shall not object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow Robins Dry Dock & Repair Co. the sum of \$15,060 in full settlement for extra work performed on U. S. Army transport St. Mihiel, and demurrage deducted, in connection with contract No. W-629-qm-6320, dated May 10, 1929, of the repair of said vessel. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$15,060 for payment of this claim.

The bill was ordered to be engrossed and read a third time. was read the third time, and passed.

A motion to reconsider was laid on the table.

## JUAN ANORBE AND OTHERS

The next business on the Private Calendar was the bill (S. 1378) for the relief of Juan Anorbe, Charles C. J. Wirz, Rudolph Ponevacs, Frank Guelfi, Steadman Martin, Athanasios Metaxiotis, and Olaf Nelson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission shall be, and it is hereby, authorized and directed to extend to Juan Anorbe, Charles C. J. Wirz, Rudolph Ponevacs, Frank Guelfi, Steadman Martin, Athanasios Metaxiotis, and Olaf Nelson, all former employees of the Isthmian Canal Commission, the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, such compensation hereunder to commence from and after the passage of this

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

# WILLIAM TELL OPPENHIMER

The next business on the Private Calendar was the bill (S. 1638) for the relief of William Tell Oppenhimer. The Clerk read the title or the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I want to congratulate my colleague, Governor MONTAGUE, of Virginia, for the diligence manifested in the handling of this very meritorious bill. Upon a careful and extensive investigation I find that this is one of the most meritorious bills I have ever found on the Private Calendar, and I congratulate the gentleman for having taken care of this worthy I sincerely hope that no Member of Congress will veteran. object, so that we can speed this bill to the White House to-day and extend justice to this veteran, who has given his health and almost his life in the service of our common country. Applause.

Mr. O'CONNELL. Everyone knows that Governor Montague is the kind of a man who would make that kind of a report.

Mr. GREENWOOD. Reserving the right to object, if the gentleman from Wisconsin [Mr. Schaffer] will make a speech like that in favor of the bill, why should any Member object?

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to appoint William Tell Oppenhimer, jr., formerly assistant surgeon with rank of lieutenant (T), an assistant surgeon, United States Navy, with rank of lieutenant (T), and place him on the retired list of the Navy with the retired pay and allowance of that grade with credit for any purposes for all service to which he was entitled on May 2, 1920: Provided, That a duly constituted naval retiring board finds that the said William Tell Oppenhimer, jr., incurred physical disability incident to the service while on the active list of the Navy: Provided, That no back pay, allowances, or emoluments shall become due as a result of the passage of this act

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### LIEUT, CHRISTOPHER S. LONG

The next business on the Private Calendar was the bill (S. 3566) authorizing the President to place Lieut. (Junior Grade) Christopher S. Long, Chaplain Corps, United States Navy, upon the retired list of the Navy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Reserving the right to object, I do not see why this should be done. Unless there is some special reason for it I am compelled to object.

Mr. HOUSTON of Hawaii. Will the gentleman reserve his

objection for a moment? Mr. PATTERSON. Yes.

Mr. HOUSTON of Hawaii. This is a case where a clergyman in civil life was appointed to the Chaplain Corps. 1914 provides that all chaplains upon original appointment shall be given a provisional appointment as acting chaplains. Thereafter they serve during a probationary period until such time as their running mate in the line has gone to his next promotion. Then they are automatically promoted, provided they passed the examination, and are regularly commissioned.

This particular chaplain who was appointed from the State of Florida, in line of duty contracted a disease-tuberculosisand is at the present time, or was until recently, under treatment at the hospital at Mare Island. Since that time he has

been on sick leave, in an effort to recuperate.

The Chief of the Chaplains' Bureau in Washington came to see me, because it happened that this young man was originally ordained in Honolulu and was married there, and the family of his wife is living there. Knowing of my previous connection with the Navy he came to see me and asked me to introduce a bill for his relief. I then communicated with the Navy Department, and this bill is the Navy Department draft of what they thought should be done. So that it is practically a department measure, and they approve it, as will be seen from the report.

Mr. PATTERSON. Is this man retired at any pay at this

Mr. HOUSTON of Hawaii. He is not now.

Mr. PATTERSON. Is he drawing any compensation from the Government?

Mr. HOUSTON of Hawaii. Yes; he is under full pay at the present time.

Mr. PATTERSON. Full pay of what?
Mr. HOUSTON of Hawaii. Of a chaplain of the rank of lieutenant (junior grade). If he is ordered before the retiring

board in accordance with this bill he will draw only threequarters of his full pay.

Mr. PATTERSON. And he is drawing full pay now? Mr. HOUSTON of Hawaii. Yes.

Mr. PATTERSON. Can he not be retired regularly without this bill?

Mr. HOUSTON of Hawaii. No; he can not; because the law does not provide for the retirement of acting officers.

Mr. PATTERSON. This is not an attempt to raise him above the rank that he now holds?

Mr. HOUSTON of Hawaii. No. There is no attempt to raise him above the rank he now holds.

Mr. PATTERSON. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to place Lieut. (Junior Grade) Christopher S. Long, Chaplain Corps, United States Navy, upon the retired list of the Navy with the retired pay and allowances of that rank: Provided, That a duly constituted naval retiring board finds that the said Christopher S. Long has incurred physical disability incident to the service while on the active list of the Navy.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### GEORGE D. JOHNSON

The next business on the Private Calendar was the bill (H. R. 2336) for the relief of George D. Johnson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Mr. Speaker, the Secretary of the Navy has stated he would have no objection to a general law, but is opposed to such special legislation, and I ask that this bill

The SPEAKER pro tempore. Objection is heard.

#### SIDNEY MORRIS HOPKINS

The next business on the Private Calendar was the bill (H. R. 6193) for the relief of Sidney Morris Hopkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Sidney Morris Hopkins, who was a member of the naval forces of the United States, at the time of his discharge being attached to the U. S. S. New Hampshire, shall hereafter be held and considered to have received a full honorable discharge from the naval service of the United States on March 14, 1921: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

## STUART L. JOHNSON

The next business on the Private Calendar was the bill (H. R. 8936) authorizing the promotion on the retired list of the Navy of Stuart L. Johnson, ensign.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present

consideration of the bill?

Mr. PATTERSON. Mr. Speaker, I am going to have to object to this bill, for the reason that the other day there was a bill similar to this, and I was informed at that time that was the only case in existence and that there would be no other person asking to be promoted to a different rank while outside of the Navy.

Mr. EATON of Colorado. Will the gentleman withhold his

objection?

Mr. PATTERSON. I will yield for a statement from my good colleague from Colorado [Mr. EATON].

Mr. EATON of Colorado. The unusual feature of this bill is caused by an error in the Navy itself.

Mr. PATTERSON. That was also true in the other case.
Mr. EATON of Colorado. Stuart L. Johnson had served six
years in the Navy and had risen to the rank of gunner. During the war, on account of his education and other things, he was promoted with temporary rank of ensign and then promoted to the temporary rank of lieutenant (junior grade). Afterwards, on November 30, 1921, he was put in the regular Navy as an ensign. He became eligible for promotion to lieutenant (junior grade) on June 5, 1922. When his time came

for this promotion he had contracted tuberculosis, which originated in line of duty, and had been sent to Fitzsimons Hospital at Denver. Instead of giving him the examination to officially declare him ill with tuberculosis he was retired.

The gentleman will notice in reading the report that there are three requirements of the law concerning promotions, and when a man is retired on account of disability incurred in the service he is retired at the next higher rank, and the three things required are pointed out in the report; the first requirement is failure on physical examination.

Had the physical examination been given to him at Fitzsimons Hospital the fact would have appeared that he was there on account of tuberculosis. The Retiring Board found him sick and incapacitated for active service by reason of physical disability incurred in line of duty, but did not give him an official examination, and because an examination was not given to him the Navy Department felt that this technicality precluded their retiring him in the higher grade.

The Secretary of the Navy recognizes this and suggests this bill and approves the bill, and under such circumstances I am quite sure the gentleman would not interpose an objection to this man being retired by Congress in the regular order in which he would have been retired had the Navy not omitted to give him this examination.

Mr. PATTERSON. What is he getting as a retired ensign? I suppose that is what he is now?

Mr. EATON of Colorado. He is a retired ensign. This bill is made applicable to no time prior to the passage of this bill. I do not know just what the amount is.

Mr. PATTERSON. What is his condition and what is he doing at the present time?

Mr. EATON of Colorado. He is what is called an arrestedtuberculosis case.

Mr. BLANTON. And this will cost only \$345 a year more.

Mr. PATTERSON. We must have vacated the other order, I will say to my good colleague, because this case, as well as the argument, is identical with the one that was made the other day. There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to promote as of September 5, 1923, to the rank of lieutenant, junior grade (retired), Stuart L. Johnson, now ensign (retired). That hereafter the pay of this officer while on the retired list shall be computed as if he had been retired in the rank of lieutenant, junior grade, September 5, 1923: Provided, That no back pay or allowances shall accrue prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The next business on the Private Calendar was the bill (H. R. 9698) to authorize Capt. W. H. Allen, United States Navy, to accept the decoration of the Order of the Bust of Bolivar from the Government of Venezuela.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, is there any gentleman on the floor who can tell us what this Order of the Bust of Bolivar is? Mr. GREENWOOD. The gentleman from South Carolina [Mr. McMillan] is here and can probably tell the gentleman.

Mr. McMILLAN. As the author of the bill I have just heard about the Bust of Bolivar. This is a decoration, I may say to my friend from Texas, that was bestowed on Captain Allen while he was in the naval service.

Mr. BLANTON. Will he be able to survive? Mr. McMILLAN. I hope so.

Mr. GREENWOOD. If the gentleman will yield, there is nothing in the report to show what act he rendered the government or what was his accomplishment that entitled him to this decoration.

Mr. McMILLAN. At the time this visit was made, some 18 or 20 years ago, Captain Allen was chief of staff of one of the admirals who visited that country, and there was an uprising or revolt, and in appreciation of services rendered by the American Government this decoration was bestowed.

Mr. GREENWOOD. The gentleman understands I objection to any of his constituents receiving anything from any foreign government they can get, but I was just wondering

There being no objection, the Clerk read the bill, as follows: Be it enacted, etc., That Capt. W. H. Allen, United States Navy, be, and he is hereby, authorized to accept from the Government of Venezuela the decoration of the Order of the Bust of Bolivar, which decoration has been tendered to him, through the Department of State, | in appreciation of service rendered the said Government of Venezuela.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### JAMES GOLDEN

The next business on the Private Calendar was the bill (H. R. 11160) for the relief of James Golden.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter James Golden, who was transferred to the retired list of the United States Navy on April 27, 1916, while holding the rating of chief master at arms, acting appointment, shall be held and considered to have been retired on said date while holding a permanent appointment in said rating: Provided, That the same James Golden shall not be entitled to any back pay or allowance by reason of the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### A. S. PHIPPS

The next business on the Private Calendar was the bill (H. R. 5063) for the relief of A. S. Phipps.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, to A. S. Phipps, of Yerington, Nev., the sum of \$60.45 for services rendered the United States Government as a de facto commissioner of the United States district court at Carson City, Nev., representing at Yerington, Nev., after September 5, 1927.

With the following committee amendment:

In line 7, strike out the figures "\$60.45" and insert in lieu thereof the figures "\$164.90."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

## STERLING S. BALL

The next business on the Private Calendar was the bill (H. R. 8253) for the relief of Sterling S. Ball.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to credit the accounts of Sterling S. Ball, former postmaster at Kahoka, Mo., with the sum of \$177.98, representing the value of war-savings stamps and other property lost from the post office at Kahoka, Mo., on December 19, 1918.

SEC. 2. The sureties on the bond of Sterling S. Ball as such postmaster are relieved from any liability on account of such loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

## SHADRACH FRANK FOSTER

The next business on the Private Calendar was the bill (H. R. 836) to correct the military record of Shadrach Frank Foster.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be tt enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Shadrach Frank Foster, who was a private in Company B, Fifth Regiment United States Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of said organization on December 31, 1865: Provided,

That no bounty, pension, pay, or allowance shall accrue prior to passage of this act.

With the following committee amendment:

Line 9, strike out the proviso, and insert in lieu thereof "That no back pay, bounty, pension, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### THOMAS J. HAYDEN

The next business on the Private Calendar was the bill (H. R. 1526) to change the military record of Thomas J. Hayden.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Thomas J. Hayden, who was a member of the Astor Battery, United States Army, Spanish War, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 29th day of March, 1899: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

In line 9, strike out "29th" and insert in lieu thereof "31st."

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table. The title was amended.

#### MARTIN V. DAY

The next business on the Private Calendar was the bill (H. R. 5519) for the relief of Martin V. Day.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Martin V. Day, who was a member of Company C, Eighteenth Regiment Wisconsin Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 9th day of March, 1863: Provided, That no bounty back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

## JAMES M. RAY

The next business on the Private Calendar was the bill (H. R. 7229) for the relief of James M. Ray.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers James M. Ray, who was a member of Company C, Twelfth Regiment Illinois Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 28th day of July, 1864; Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

## ARTHUR G. CASWELL

The next business on the Private Calendar was the bill (H. R.

6194) granting six months' pay to Arthur G. Caswell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the appropriation "Pay, of the Navy, 1930," to Arthur G. Caswell, father of James L. Caswell, late engineman (first class), United States Navy, an amount equal to six months' pay at the rate said James L. Caswell was receiving at the date of his death.

With the following committee amendments:

Line 5, strike out the words "of the" and insert "subsistence and transportation."

Line 9, strike out the period, insert a colon and the following:

" Provided, That the said Arthur G. Caswell establish to the satisfaction of the Secretary of the Navy that he was actually dependent upon his son, James L. Caswell, at the time of the latter's death.

The committee amendments were agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### ROBERT BENNETT

The next business on the Private Calendar was the bill (H. R. 6817) for the relief of Robert Bennett.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, the Acting Secretary of the Navy makes this recommendation:

The records of the Navy Department show that the above-named man was born on May 18, 1882, and on April 26, 1898, he enlisted in the Navy to serve during minority until May 17, 1903. During his period of service he committed a number of offenses, such as deliberately disobeying orders, being insolent to chief master-at-arms, swearing and lying and using obscene language. On June 9, 1899, Bennett was de-clared a deserter from the U. S. S. Vermont and the naval service. After a period of approximately 29 years he reported his case to the Navy Department in writing, and, at his request, was discharged as undesirable for the naval service because of desertion without trial. His discharge was actually effected on October 24, 1928.

The Navy Department is unaware of any good reason for considering Bennett as having been honorably discharged from the naval service, and without such reason does not believe that any special action toward his case should be taken.

The bill H. R. 6817, if enacted into law, will result in no additional cost to the Navy; however, it is probable that a pension charge will be involved now or in the future.

In view of the foregoing, the Navy Department recommends against the enactment of the bill H. R. 6817.

Who has charge of the bill?

Mr. O'CONNELL. I know the author of the bill. This boy went in at the age of 16 years. From that time on he served for 29 years in the Army. We may have all committed offenses in that time.

Mr. BLANTON. No; he did not serve in the Army. He served a short time in the Navy. He went in the first time and deserted, and during that short time he committed most of these offenses I have quoted from the report of the Navy Department

Mr. O'CONNELL. We have condoned these things many

times in other bills.

Mr. BLANTON. This is not a question just of setting him right with the world and starting him over again, but it is a question of giving him a pensionable status. Mr. Speaker, I

## CHARLES L. CHAFFEE

The next business on the Private Calendar was the bill (H. R. 7322) for the relief of Charles L. Chaffee. The SPEAKER pro tempore. Is there objection?

Mr. GREENWOOD. Mr. Speaker, I reserve the right to ob-ct. Has the gentleman from Ohio made a study of the facts in this case?

Mr. FITZGERALD. Mr. Speaker, I have studied the facts very thoroughly. I know of no case in which I have been concerned that has had more attention. Originally the bill was one to retire Captain Chaffee, now totally helpless, but because he had been an officer in the Regular Army, the Military Affairs Committee thought best that the matter be rereferred to an Army board.

Mr. PATTERSON. Mr. Speaker, I am going to object to the present consideration of the bill.

Mr. FITZGERALD. I hope the gentleman will permit me to continue with my statement.

Mr. PATTERSON. Surely. Mr. FITZGERALD. The bill was introduced at the request of members of the American Legion, and others including disabled veterans who knew this fine officer and how much he is deserving. This bill does not retire the man, although I introduced the bill in the hope that the committee might see fit to recommend that he be retired at once. This young man graduated with honors, taking more than a year and a half of work in his last year at the university. He studied specially for his

commission. He suffered a nervous breakdown in taking a special military course at Leavenworth. He was a man of unusual talent and the Government apparently was anxious to have him in the service. It accepted him as a provisional second lieutenant, and then promoted him to a first lieutenancy, and then afterwards to be a captain, all provisional. Then, on account of his especially great ability, although only 21 years of age, when he entered the Army, he was made a full captain of the Regular Army, and he was sent over to France in charge of a company and served in the front lines in France, and was under shell fire. All of the time there was a constant increase of this nervous tension which had been diagnosed as neurasthenia. He was constantly getting worse until conditions on the front lines caused him to break and he was ordered for observation, and because of nervous disease and consequent delusions and the lack of coordination with other officers on the front lines, he was ordered back to the United States. Afterwards he was ordered before an Army board and found to be physically sound but unfitted for the military service and he was given an honorable discharge, or in common language, class "B'd" out of the service and deprived of his livelihood and occupation, when had his mental condition been known and its cause, he would rightfully and legally have been retired. His mental condition was fatally impaired and he could not and did not have a proper presentation of his case before the Army board. It is to give an Army board a chance to correct this apparent error that this bill is before us to-day. He is now totally helpless and a wreck. Had this been known in time he would have been retired.

Mr. STAFFORD. Why, the record shows that the Army was acquainted with his complaints all of the time. He was complaining all of the time, from the time he entered the service until the very end.

Mr. FITZGERALD. The gentleman is correct about the complaints, but the board by which he was retired never knew about his mental condition.

Mr. STAFFORD. He was afraid to go to the front and

fight.

Mr. FITZGERALD. Oh, no. He was not. He was under fire in the front lines in France.

Mr. STAFFORD. He asked to be retired and said that he

did not have the nerve to fight on the front lines.

Mr. FITZGERALD. This is a pitiful case, the breaking down mentally of a man of great brilliance. All this bill does is to ask the board to review the situation and find out if what my friend from Wisconsin says is correct.

Mr. STAFFORD. There are hundreds of class B cases, and I do not know of anyone that warranted a discharge more than

Mr. FITZGERALD. If the gentleman is correct about it then there will be no harm.

Mr. STAFFORD. He would still be complaining.

Mr. HILL of Alabama. The Veterans' Bureau has held him to be 90 per cent disabled, has it not?

Mr. FITZGERALD. Yes.

Mr. HILL of Alabama. And this simply gives him his day in

Mr. FITZGERALD. Yes. This gives a chance to the Army to see whether a mistake has been made and, if so, to correct it. They class B'd him out. He would have been retired had they known about his mental condition. The man went before the board, but naturally he did not tell them that he was mentally broken. He was found to be unfit for duty, and he was honorably discharged as class B without his case being properly presented or understood. All this does is to give this board a chance to reconvene and reconsider the case in the light of all the facts now generally known.

The SPEAKER pro tempore (Mr. MAPES). Is there objec-

Mr. PATTERSON. Mr. Speaker, I object.

# JOSEPH PULITZER

The next business on the Private Calendar was the bill (H. R 2550) for the relief of Joseph Pulitzer.

The title of the bill was read,

The SPEAKER pro tempore. Is there objection?

There being no objection to its consideration, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to Joseph Pulitzer, out of any money in the Treasury not otherwise appropriated, the sum of \$1,750, the amount of a fine paid by Joseph Pulitzer in pursuance of a judgment entered upon a plea of nolo contendere under certain provisions of the so-called Lever Act previous to the time that the Supreme Court of the United States held such provisions void, the said plea and said payment being made under a stipulation as follows: "In consideration that the Attorney General

and this court shall accept the plea nolo contendere which I hereby tender to the above-entitled indictment, I do hereby waive any and all fines which the court may see fit to impose upon me upon such plea, except in the event that the so-called Lever Act under which said indictment is found shall be declared unconstitutional by the Supreme Court of the United States and that no prosecution could be sustained upon the facts stated in said indictment.'

Mr. ROWBOTTOM. Mr. Speaker, I offer an amendment at the end of line 7, on page 2; the usual amendment concerning attorneys' fees.

The SPEAKER pro tempore. The Clerk will report the

amendment.

The Clerk read as follows:

Amendment by Mr. ROWBOTTOM: Page 2, after line 7, insert: "Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

#### WALLACE E. ORDWAY

The next business on the Private Calendar was the bill (H. R. 3727) for the relief of Wallace E. Ordway.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the

present consideration of the bill?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, this father, after the death of his son, first brought suit against the city and lost it, and then he made this claim. The Interior Department reports adversely against it, and says this man has no claim against the Government. Under the circumstances I shall feel constrained to object.

Mr. BUTLER. Will the gentleman withhold his objection

for a moment?

Mr. BLANTON. Yes. If the gentleman desires to make a

statement

Mr. BUTLER. Mr. Speaker, the canal runs partly through the city of Klamath Falls. The canal was built by the Government, and the portion of the canal where this accident happened, and the child fell in, was in the city limits. Evidently the attorney representing the claimant thought that the city had no jurisdiction over the passageway where this accident occurred. But when the issues were made up the city answered and pleaded that the city had no control whatever over it, and that the Government had entire control over it, as shown in the

Mr. BLANTON. But there was another question involved, was there not, of contributory negligence on the part of the parents to permit a child under 6 years old to go through a

wire fence along a deep canal?

Mr. BUTLER. There was no question of negligence as to the parents; and, furthermore, I will say to the gentleman that under the law of that State as laid down by the Supreme Court contributory negligence was not attributable to a child of tender years, nor is it imputed to the parent. There was no question of contributory negligence involved in the case or of the negligence of the parents.

Mr. BLANTON. If you were to permit parents to bring a child here to Washington on a visit and those parents permitted the child to crawl into this Tidal Basin down here the Nation's Capital, do you think the Government would be called upon to pay for the accident to that child which came about through the negligence of its parents?

Mr. BUTLER. In cases where it was the duty of the Government to take care of danger spots I would say the Govern-

ment was liable.

Mr. BLANTON. Does the gentleman claim that whenever the Government builds an irrigation dam or ditch in the West it must put a guard around it to keep parents from letting their 5-year-old children fall into it?

Mr. BUTLER. Its duty is to prevent things like this from

occurring.

Mr. BLANTON. The Department of the Interior reported here that it investigated this case, and that if it were a private irrigation project it would not be liable for this claim.

Mr. BUTLER. It is true that the statement is made that if it were a private project there would be no liability, but that is not a statement of the law as it is laid down and written in the State of Oregon.

Mr. BLANTON. There is no law that holds the Government

legally responsible at all in any of these bills. It is a gratuity.

Mr. BUTLER. The Government did build a wire fence there, but failed to protect the public, and particularly children, by failing to cover up the hole.

Mr. BLANTON. I sympathize with my colleague, and I regret to have to oppose the bill; but this is a new policy that

sets a bad precedent.

Mr. BUTLER. My predecessor was in the city of Klamath Falls when the accident happened. He went to the place where the child was drowned, and he made a complaint and protested to the engineer in charge there, and they put some planks over There has never been any question about negligence, and in this report the acting commissioner does not maintain that they have ever protected the public from that death trap there.

Mr. BLANTON. I regret I must object. Mr. BACHMANN. If the child had fallen into a canal where there was no fence along that canal, would the gentleman contend that the Government was responsible?

Mr. BUTLER. I think in cases of that kind the Government

would be responsible.

Mr. BACHMANN. Then the Government would have to build a fence along every canal in this country.

Mr. STAFFORD. One night last week as I was walking through Franklin Square on the way to my hotel I saw a little child about 5 years of age walking on the granite curb of the fountain, being held by the hand of an elder child. I said, "Be careful, that child might fall." There was no water playing in the basin. If the child had fallen over and broken its leg, does the gentleman think the District of Columbia would have been responsible in damages?

Mr. BUTLER. That would depend upon the circumstances,

of course.

Mr. BLANTON. Ever since the days of George Washington there has been a deep canal all the way up and down the Po-tomac River, into which the children of Maryland and the District of Columbia could have fallen had their parents been negligent. Does the gentleman think that we should establish the precedent of making the Government responsible in damages for accidents of that kind?

Mr. BUTLER. I do not think this will establish a precedent. Mr. BLANTON. I think it does, and that compels me to object.

Mr. Speaker, I object.

## JAMES B. CONNER

The next business on the Private Calendar was the bill (H. R. 6758) for the relief of James B. Conner.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. Mapes). Is there objection to the present consideration of the bill?

Mr. ARENTZ. I will have no objection, Mr. Speaker, if the usual amendment with regard to attorney's fees is permitted at the proper time.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the United States Government, the sum of \$2,500 to James B. Conner for the loss of his eye, sustained while performing his duties assigned to him in the mechanical shop of the Department of Agriculture.

With the following committee amendment:

Page 1, line 6, insert the words "of all claims."

The committee amendment was agreed to.

Mr. ARENTZ. Mr. Speaker, I offer an amendment.
The SPEAKER pro tempore. The gentleman from Nevada offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ARENTZ: Page 1, line 9, at the end of the bill insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of service rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceed-

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### ANDREW MARKHUS

The next business on the Private Calendar was the bill (H. R. 7555) for the relief of Andrew Markhus.

The Clerk read the title of the bill.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Andrew Markhus, examiner, field service, General Land Office, the sum of \$101.51 for salary, per diem, and traveling expenses in going from Washington, D. C., to Denver, Colo., in connection with his appointment as inspector, General

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### GENEVIEVE M. HEBERLE

The next business on the Private Calendar was the bill (H. R. 7794) for the relief of Genevieve M. Heberle.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. I want to ask the chairman of the committee, who would be one of the conferees if there should be a disagreement, whether or not he can assure the House that when this bill goes to the Senate the gentleman will not permit the amount to be raised from \$2,000 to \$10,000 as was originally proposed.

Mr. STAFFORD. Will the gentleman yield?

Mr. BLANTON. I yield. Mr. STAFFORD. The gentleman is aware that the Senate has adopted a new policy of cutting down the amounts, and there is not much prospect, with that record, of going higher than the amount carried in the House bill.

Mr. BLANTON. But that is the first time in the history of the Congress. That might be the new policy to-day, but it may

change to-morrow.

Mr. IRWIN. This was considered in committee, and the committee agreed to reduce the amount from \$10,000 to \$2,000, and we always stand by our opinion.

Mr. BLANTON. In the closing hours of the Congress, the gentleman will not permit the amount to be raised above \$2,000?

Mr. IRWIN. I will agree to that.
Mr. BLANTON. With that understanding I shall not object.
Mr. STAFFORD. I think the gentleman will agree to an amendment cutting it down to \$1,000.

Mr. BLANTON. Yes; but if the gentleman agrees to permit

it not to be raised above \$2,000, I will not object.

Mr. IRWIN. I agree to that.

Mr. O'CONNELL. Will the gentleman make the same request, that the Senate neither raise nor lower it?

Mr. BLANTON. Oh, no; I am willing for the amount to be reduced.

Mr. STAFFORD. The Senate has a record of cutting down these amounts.

Mr. BLANTON. Since when?
Mr. STAFFORD. Why, since this morning.
Mr. BLANTON. For the first time that I can remember.
Mr. BACHMANN. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. BACHMANN. I notice there was a settlement previously made in this case by the department, but there is nothing mentioned in the report as to what the merits of the settlement

Mr. MAAS. When the injury occurred it was not realized it was so serious, and the claimant was paid immediately for the doctors' bills and for the loss of a few days' time. Some time later it developed it was a very serious injury and she has been unable to resume her career, which was nursing, and she can not work for more than a few days at a time. She is permanently crippled.

Mr. STAFFORD. Is the gentleman personally acquainted with the case?
Mr. MAAS. Yes; I am.

Mr. BACHMANN. The total expense connected with the injury only amounted to \$110.

Mr. MAAS. That was largely because of the fact she was a nurse in training in a hospital, and she was taken care of in the hospital so that the expense was largely for medicines.

Mr. BACHMANN. This \$2,000 is asked as compensation for

suffering

Mr. MAAS. Yes; entirely.

Mr. SMITH of Idaho. And for loss of time?

Mr. MAAS. Yes. She is permanently disabled. Mr. BACHMANN. I shall not object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Genevieve M. Heberle the sum of \$10,000 for personal injuries sustained when she was struck and seriously injured by an automobile truck of the United States Postal Service in the city of St. Paul, Minn., on July 3, 1923.

With the following committee amendments:

Page 1, line 6, strike out "\$10,000" and insert "\$2,000."

Page 1, line 9, after the figures "1923," insert the following language: "Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

Mr. BACHMANN. Mr. Speaker, I offer an amendment, on page 1, line 6, after the figures "\$2,000" insert "in full settlement of all claims against the Government."

The SPEAKER pro tempore. The gentleman from West Virginia offers an amendment which the Clerk will report.

The Clerk read, as follows:

Amendment by Mr. BACHMANN: Page 1, line 6, after the figures "\$2,000," insert the words "in full settlement of all claims against the Government."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

## JENS H. LARSEN

The next business on the Private Calendar was the bill (H. R. 7797) for the relief of Jens H. Larsen.

The Clerk read the title of the bill.

The SPEAKER pro tempore [Mr. Lehlbach]. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Mr. Speaker, I reserve the right to object, to have a statement, and find out why the Government should be held responsible in any way to this man who parked his automobile in this particular place.

Mr. MAAS. This man is a post-office employee and he parked his car beside the post-office building, which was the custom.

Mr. PATTERSON. Was this a zone which they had marked off for the parking of cars by the postal employees?

Mr. MAAS. Yes; that is correct.

Mr. PATTERSON. And there was not a suitable parking

place at some other point?

Mr. MAAS. No; at this particular location, which is in the heart of the town, there was no other place these employees could park, and it was through the negligence of the Government that the drain pipe had been permitted to fill up during a melting period, and then later the ice formed. It has been customary to reimburse these men under similar circumstances. The postmaster had a similar experience, and I think he was paid \$50.

Mr. PATTERSON. If the postmaster has been paid, and this man was under him, I certainly shall withdraw any objection. There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jens H. Larsen the sum of \$30.50, being the amount of damages incurred to his automobile from snow and ice falling from the roof of the post-office building in St. Paul, Minn.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

was laid on the table.

#### BREWSTER AGEE

The next business on the Private Calendar was the bill (H. R. 8271) for the relief of Brewster Agee.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ROWBOTTOM Mr. Speaker, I object. Mr. TARVER. Mr. Speaker, will the gentleman reserve his objection?

Mr. ROWBOTTOM. I will be pleased to withhold it.

I would be glad if the gentleman would TARVER.

indicate upon what his objection is based?

Mr. ROWBOTTOM. There is not any evidence to prove that

this man was killed by these soldiers. These soldiers had been discharged from the Army, and there is no evidence to show that the soldiers on this particular train killed this man.

Mr. TARVER. The gentleman will pardon me, but I am very familiar with the circumstances surrounding the case, and I am sure the gentleman has an erroneous impression,

Mr. ROWBOTTOM. Will the gentleman yield?

Mr. TARVER. Yes.

Mr. ROWBOTTOM. What responsibility is it of the Government, after these soldiers were discharged, if this man was killed by them?

Mr. TARVER. Let me state the facts as they come to my knowledge

Mr. ROWBOTTOM. We do not care about what comes to

the gentleman's knowledge, but what are the facts? Mr. TARVER. That is what I am going to state, if the gentleman will permit. These soldiers were discharged in

March, 1899, at Macon-

Mr. ROWBOTTOM. The very day this man was killed. Mr. TARVER. And were being transported by the Government to their places of enlistment, and this man who was shot was a flagman employed on the train which was engaged in doing the transporting. The soldiers at various points along the road prior to reaching Griffin, Ga., fired upon citizens at towns through which the train passed, and the citizens of Griffin, having received information in advance of these occurrences, met the train armed in order to preserve order, and while the train was standing at the station the soldiers on the train fired from the train upon the citizens. Their fire was returned and either by fire of the soldiers or by the fire of the citizens provoked by the soldiers, this man was shot, and afterwards died as a result of his wounds. There can be no question about this being the fact. The gentleman from Georgia [Mr. RUTHERFORD], who represents the district where the occurrence took place, knows these are the facts and I respectfully submit that under these conditions there can be no question as to the responsibility of the Government.

Mr. ROWBOTTOM. Let me call the gentleman's attention to a statement of an eye witness, on page 2 of the report, "This riot was caused by preceding trainloads of soldiers shooting out the car windows," and so forth. It does not say that it was

this trainload of soldiers.

Mr. TARVER, Will the gentleman listen to a statement by the gentleman from Georgia [Mr. Rutherford] who is familiar with the facts?

Mr. ROWBOTTOM. Surely; I will be pleased to.
Mr. RUTHERFORD. I remember this occurrence as well as
if it happened yesterday. The gentleman can not appreciate the situation unless he had been there. These soldiers were mustered out at Macon, Ga., in my district, about 30 miles from Griffin, and this was altogether a troop train. It was not a mixed passenger train. These soldiers were discharged with their side arms, and they had liquor, and began to fire on the people all along the way. Some one called up Griffin, Ga., 30 miles distant, and told them they had better call out the militia down there to protect the citizens of the town against these colored soldiers. This man was shot there. The citizens did not fire until after these negro soldiers began to fire promiscuously into the town.

Mr. ROWBOTTOM. There is not any evidence to show that these soldiers on the train began the firing, and let me call the gentleman's attention to the statement in the report by an eye witness, to which I just called the attention of the gentleman from Georgia [Mr. Tarver]. He does not say that they telephoned ahead, but states that the citizens of Griffin found there was another train coming, and they went down themselves armed and ready to start a fight.

It looks as if he was as much at fault as others.

Mr. RUTHERFORD. It was common knowledge to everybody down there. The papers carried the information. The

A motion to reconsider the vote by which the bill was passed | citizens of Griffin did not want any fight with the soldiers, but they called out the militia to protect the citizens of the town. Here was this poor man, in the discharge of his duty, standing on the rear platform of the train, where his duty called him. The result was that he received a wound from which he later died.

> Mr. ROWBOTTOM. In what way was the Government responsible?

> Mr. TARVER. Because the Government was transporting these soldiers and the soldiers fired on the citizens. These soldiers were being transported by the Government and under the control of the Government. It seems to me that an objection to the passage of this bill can not be based on any just reason.

> Mr. ROWBOTTOM. What just reason is there for the Government paying for this claim? It is not shown that the soldiers shot this man; it may have come from the other side.

> Mr. TARVER. Suppose it did; if the soldiers fired first on the citizens and provoked the shooting?

> Mr. ROWBOTTOM. There is nothing to show that the soldiers shot him.

Mr. TARVER. Let me read to the gentleman:

When the train started moving away from the station one of the soldiers shot out the car window; then the armed citizens returned the fire on the moving train. Mr. Agee, being on the rear of the train, where his duties required him to be, was the only person hurt.

The first shot came from the train from those drunken negro soldiers. If the gentleman thinks that is not a provocation for return fire, then I have nothing further to say

Mr. SCHAFER of Wisconsin. Will the gentleman yield? I do not believe that the evidence produced before the Claims Committee indicated that these colored soldiers were drunk. I think that is a far-fetched statement. I do, however, believe that if the gentleman from Indiana will refer to the presentation of this bill to the full Claims Committee by the subcommittee he will realize that the report does not contain all of the details that were presented before the subcommittee. Those details were such as would warrant the favorable passage of the bill. I remember the case well. The full Claims Committee spent half an hour in considering the report of the subcommittee.

Mr. BLANTON. Does not the gentleman think it a charitable way to look at it, in saying that the soldiers were drunk? Does he think that soldiers would shoot out of a car window if they were sober?

Mr. SCHAFER of Wisconsin. Oh, yes; I have seen them shoot out of a car window when sober. I believe the bill ought to be passed and relieve this worthy individual who was shot through no negligence of his but through the fault of the Government soldiers. Whether the shooting was done by the Government soldiers or not, the whole fracas started by a shot from the soldiers. I hope my colleague, who probably had to attend another committee meeting when this bill was presented to the full committee, will withdraw his objection and let this meritorious bill pass.

Mr. ROWBOTTOM. Mr. Speaker, in view of the explanation made by the two gentlemen from Georgia, I withdraw the objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Brewster Agee the sum of \$2,500 as compensation for loss by death of her husband, George L. Agee, killed while transporting United States soldiers during a riot at Griffin, Ga., on or about March 8, 1899.

The bill was ordered to be engrossed and read a third time. was read the third time, and passed.

A motion to reconsider was laid on the table.

## EMMETT BROOKS

The next business on the Private Calendar was the bill (H. R. 10093) for the relief of Emmett Brooks.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$425 to Emmett Brooks in payment for fees as United States commissioner for services rendered for the period beginning with the January quarter, 1925, and ending with the March quarter, 1929.

With the following committee amendment:

In line 6, strike out the figures "\$425" and insert in lieu thereof the figures "\$351.05."

The committee amendment was agreed to.

Mr. BACHMANN. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

In line 5, after the word "settlement," insert the words "of all claims."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### HARRY W. WARD

The next business on the Private Calendar was the bill (H. R. 10938), for the relief of Harry W. Ward.

The SPEAKER pro tempore. Is there objection?

Mr. PATTERSON. Mr. Speaker, I reserve the right to object.

I am opposed to these bills, but we passed one the other day similar to this, and I shall not object to this. If a man is handling money of the Government without any special direction of where to put it, he ought to be responsible for the money.

Mr. IRWIN. The Post Office Department in some of these post offices advises placing the money in banks. That is the only

thing that can be done.

Mr. ARENTZ. There are not enough banks in these localities so that a man could pick out one of a half dozen. There was only one in this place to pick, and that bank failed.

Mr. PATTERSON. I shall not object.

The SPEAKER pro tempore. Is there objection?

There was no objection and the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$75.41 to compensate Harry W. Ward, of Redwood Falls, Minn., for actual financial loss sustained by him, without negligence on his part, through refund already made to the Post Office Department, wherein postal funds for which he was responsible as postmaster at Redwood Falls, Minn., were on deposit in the First National Bank of Redwood Falls, Minn., which said bank failed under date of July 21, 1925, and was liquidated, none of said sum being repaid from the assets of said bank.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

COMPENSATION TO PERSONS INJURED AT LAKE DENMARK, N. J.

The next business on the Private Calendar was the bill (H. R. 11015) to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval and munitions depot, Lake Denmark, N. J., July 10, 1926.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I reserve the

right to object. The compensation provided in this bill is out of all proportion to personal injury claim bills we have heretofore passed. I notice on page 3 of the report, in the first instance, there is to be paid to Mrs. Matilda Koch \$12,570.50 for the loss of a left eye and an injury to the right eye. For absolute total disability, where there is absolutely clear negligence on the part of the Government, this House has adopted a maximum sum of \$5,000. A few weeks ago we passed a bill to reimburse the father of a little boy who was killed by a drunken Army-truck driver and provided an amount of \$5,000 in that bill. The other body cut that down to \$2,500. On page 5 of the report we find that we are taking care of members of the regular Military and Naval Establishments, although they are entitled to pensions under the general pension law. Why should we single out one chief gunner in the Army or Navy and, in addition to the benefits under the pension law, grant an award of \$10,612 to his widow. That is entirely unfair. Furthermore, this bill carries an appropriation of some \$3,706.16 to casualty companies for losses sustained. These casualty companies obtained premiums, and those premiums are based upon potential losses. The bill is manifestly unfair all the way through. It should go over until it can be amended.

Mr. ACKERMAN. Mr. Speaker, will the gentleman yield?

Mr. SCHAFER of Wisconsin. Yes.

Mr. ACKERMAN. The gentleman will notice that all amounts claimed by the casualty companies have been eliminated, and I have a letter here from the Comptroller General stating that any amounts for insurance companies have been deducted and any amounts paid to any of these claimants by the

Red Cross have been deducted. This bill has the full approval of the Navy Department as well as the Comptroller General and is in line with the bill that we passed several years ago to reimburse others. These are the remainder of the claims not adjudicated at that time.

Mr. SCHAFER of Wisconsin. How can the Navy Department recommend \$10,612 for Mrs. Gertrude Gately, the widow of Chief Gunner Gately, who was killed? If we are going to adopt that policy and give over \$10,000 in addition to the benefits under the pension law, we might as well say to the widows and mothers of every marine killed in Nicaragua that we will also give them \$10,612.

Mr. ACKERMAN. Will the gentleman offer an amendment

to reduce that amount?

Mr. SCHAFER of Wisconsin. The bill is so drawn that it would take a little time to consider and prepare such an amendment, because the bill does not name the special beneficiary. Furthermore, why should this Congress allow Mrs. Matilda Koch \$12,570.50?

Mr. PATTERSON. Mr. Speaker, I ask that this bill go over for further study.

Mr. SCHAFER of Wisconsin. Before I object to the bill, I suggest that the gentleman prepare an amendment to conform to the usual amounts granted by the House so that when the bill is reached again that amendment can be offered.

Mr. REED of New York. I have an amendment I am prepared to offer to the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, the gentleman from Alabama asked that the bill be passed over.

The SPEAKER pro tempore. Does the gentleman object? Mr. PATTERSON. I ask that the bill be passed over.

The SPEAKER pro tempore. That is all that happens to it.

This is not the Consent Calendar. Mr. REED of New York. Mr. Speaker, I have an amendment which I would like to offer.

Mr. PATTERSON. Mr. Speaker, reserving the right to object,

what is the amendment the gentleman has to propose?

Mr. REED of New York. This I offer for the information of the House.

Add a new section on page 2, as follows:

"SEC. 2. That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 each to the following relatives, in the following order of preference, of any officer or enlisted man of the United States military and naval forces who was killed in the explosions at the naval ammunition depot, Lake Denmark, N. J., on July 10, 1926: To the widow; if no widow, then to the children, share and share alike; if no widow or children, then to the mother; if no widow, children, or mother, then to the father; or if no widow, children, mother, or father, then to the brothers and sisters, share and share alike."

Mr. SCHAFER of Wisconsin. That would not correct it. Why should we provide \$5,000 for the relatives of these members of the regular establishments, when we do not provide \$5,000 for the widows in cases where they have four or five minor children?

Mr. REED of New York. Will the gentleman reserve his objection to give me an opportunity to be heard?

Mr. SCHAFER of Wisconsin. Yes.
Mr. REED of New York. Mr. Speaker, I really wish to
apologize for taking the time of the House at this time, but I do it in order to bring before this Congress if I may some of the flagrant injustices that it seems to me are being done as the law now stands.

The case I am going to give is typical of a great many cases that are coming from the Claims Committee. I am not criticizing the Claims Committee or the people who occasionally file objections to some of these bills. But here was a case at Lake Denmark where I think the Government was more or less negligent.

Naturally this boy enlisted as the result of seeing glowing signs and posters inviting enlistments, and he went down to Lake Denmark. There are some 14 cases involved. I have written to the department and the claim has been rejected.

In a little home, in a retired section of the country, live Mr. and Mrs. Little, splendid country people. The boy insisted on and Mrs. Little, spiendid country people. The boy insisted on going into this service, having seen attractive posters "Join the Navy and See the World." His parents needed his help, and yet they let him go. There was a little girl in the family suffering from infantile paralysis. These people were in a sense dependent on the boy, although not recognized by the Government, because the boy did not so state at the time or during his critisticant. during his enlistment.

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What happened? When the lightning struck this ammunition depot at Lake Denmark, N. J., this boy, after the accident, was cited for bravery. Here is what is said by the commandant of the third naval district:

> COMMANDANT THIRD NAVAL DISTRICT, New York, N. Y., August 4, 1926.

Mrs. M. J. LITTLE,

Leon, N. Y.

MY DEAR MRS. LITTLE: I am sorry to seem so late in answering your letter of July 23, but have only just learned that the letter I dictated to you on July 28 was lost.

I find on inquiry that your son, John A. Little, was on fire-patrol duty on the afternoon of the disaster at Lake Denmark. He was last seen by his comrades hastening to the scene of the fire, and he unquestionably perished in the explosion that followed.

It is to be regretted that to date no trace of his body has been found, at least, no body that could be identified as his.

Well knowing the danger he faced in attempting to extinguish a fire in a burning magazine, he nevertheless steadfastly and courageously continued with his duty until relieved by death at the call of the Great Commander.

I wish to extend my heartfelt sympathy to you in your bereavement. and if I can be of service to you, please command me.

Yours truly.

O. C. DOWLING,

Captain United States Navy, Inspector of Ordnance in Charge, Naval Ammunition Depot, Lake Denmark, Dover, N. J.

Then I have before me the service certificate of the United States Marine Corps, wherein the boy is cited for bravery. Here it is:

SERVICE CERTIFICATE, UNITED STATES MARINE CORPS

This certifies that Pvt. John A. Little died on July 10, 1926, at Dover, N. J., while in the service of his country, and that he performed duty in the United States Marine Corps as follows: Parris Island, S. C.; Norfolk, Va.; U. S. S. New York.

Service: Honest and faithful.

Given under my hand at Washington, D. C., this 19th day of August,

JOHN A. LEJEUNE. Major General Commandant.

Then here is a letter from the Secretary of the Navy, acting for the President:

> THE SECRETARY OF THE NAVY. Washington, October 21, 1926.

MADAM: The President of the United States takes pleasure in presenting you the Navy cross awarded posthumously to your son, the late Pvt. John A. Little, United States Marine Corps, for services on the occasion of the explosions from lightning at the naval ammunition depot. Lake Denmark, N. J., on July 10, 1926, as set forth in the following:

Citation: "For extraordinary heroism and fearless devotion to duty. Although he fully realized the imminence of great peril he continued at his post of duty in an endeavor to check the spread of the disaster, thereby losing his life."

For the President.

SECRETARY OF THE NAVY.

Mrs. CARRIE E. LITTLE.

Leon, N. Y.

Here is another one, from Maj. Gen. John A. Lejeune-Mr. BLANTON. Mr. Speaker, will the gentleman yield there? Mr. REED of New York. Yes.

Why was it that the department itself did Mr. BLANTON.

not settle these claims?

Mr. REED of New York. I want to bring this to your attention later on. Here is what John A. Lejeune, Major General Commandant, had to say to the bereaved mother of this boy;

HEADQUARTERS UNITED STATES MARINE CORPS,

Washington, October 29, 1926.

Mrs. CARRIE E. LITTLE,

Leon, N. Y.

MY DEAR MRS. LITTLE: I take great pleasure in forwarding to you the inclosed citation and Navy cross, which have been awarded to your son, Pvt. John A. Little, United States Marine Corps, for heroism at Lake Denmark, N. J.

I wish to express my own appreciation of the fine qualities of your son and of his devotion to his duty, which led him to face danger and death without hesitation. His conduct merits the highest praise.

Sincerely yours,

JOHN A. LEJEUNE, Major General Commandant. Here is another statement, quoted from a daily newspaper:

LEJEUNE COMMENDS MARINES

Maj. Gen. John A. Lejenne, commander of the Marine Corps, who also inspected the spot where nearly two dozen of his men lost their lives, said:

"The names of the men who lost their lives here will go down on the roll of honor of the Marine Corps. All of them made the supreme sacrifice, and it is just as if they had lost their lives on the battle

Here is another statement by Maj. Gen. John A. Lejeune in a letter I have here of March 8, 1927, which answers the question of the gentleman from Texas [Mr. BLANTON]:

> HEADQUARTERS UNITED STATES MARINE CORPS, Washington, March 8, 1927.

Hon. DANIEL A. REED,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN REED: I am in receipt of your letter of the 5th instant regarding your desire to introduce a special bill for the parents of Alfred Little, who enlisted in the Marine Corps under the name of John Alfred Little, and was killed last July in the disaster at the naval ammunition depot, Lake Denmark, N. J.

The records show that John Alfred Little enlisted in the Marine Corps November 1, 1924, and was killed on July 10, 1926. He was awarded the Navy cross posthumously for his services on the occasion of the explosion from lightning at the naval ammunition depot, Lake Denmark, on July 10, 1926, as set forth in the following citation:

For extraordinary heroism and fearless devotion to duty. Although he fully realized the imminence of great peril, he continued at his post of duty in an endeavor to check the spread of the disaster, thereby losing his life."

This Navy cross, with a copy of the citation, was forwarded to his mother, Mrs. Carrie E. Little, Leon, N.-Y., on October 21, 1926.

No compensation has been awarded the beneficiaries of marines killed in the disaster at Lake Denmark, except the six months' pay, which was paid under the act of June 4, 1920, to the wife, children, or previously designated dependent relative. Private Little was not married and did not designate a dependent relative, so no payment under the act of June 4, 1920, could be made in his case.

Two bills were introduced in the Sixty-ninth Congress to provide a method for compensating persons who suffered property damage, death, or personal injury due to the explosions at Lake Denmark, H. R. 13457 and S. 4558, but neither of these bills was enacted.

With best wishes, I am, very sincerely yours,

JOHN A. LEJEUNE. Major General Commandant.

Mr. BLANTON. But there could be extraneous proof of dependency

Mr. REED of New York. The point I make is this: Here was a young man who was virtually the chief support, potentially at least, of an old couple up there in the country. This boy had seen and read these posters, and enlisted. He suffered death in the effort to save human life in the service of his country.

We do not hesitate to appropriate thousands and thousands of dollars for property destroyed, but here the mere fact that this boy did not formally designate his parents as dependents stands as a bar against the doing of equity and justice. It is manifestly unfair. That is the function of a claims committee, to judge the equities of a case.

The people back home, your constituents and mine, do not understand some things that are going on in the Government. Here is a clipping, under date of November 16, 1927, concerning a man incarcerated in one of our prisons. He gets \$10,000 for an arm lost in prison. I read:

GETS \$10,000 FOR ARM LOST IN PRISON-MAN WINS LONG FIGHT AS RESULT OF ACCIDENT WITH POTATO GRINDER

SALAMANCA, November 15 .- Harry L. Shearer, of Center Street, has been awarded \$10,000 for the loss of an arm while he was an inmate of Auburn Prison, in a decision by the New York Court of Claims, his attorney, Jesse Seymour, Salamanca, was advised in a notice received Monday.

Shearer, sentenced for his part in the robbery of two freight cars here, was putting potatoes into a grinder when, he claimed, he slipped on the wet floor and his arm was drawn into the grinder and taken off at the elbow. The State was charged with negligence in permitting the floor to be slippery and not having guards on the machine nor a capable operator for it, and having it so connected that the room had to be crossed to shut off the machine.

An unusual feature of the case was that an act was passed by the State legislature to give the court of claims jurisdiction over the case,

He is awarded \$10,000. But here was a fine, clean young man who goes out at the invitation of his Government; he serves it faithfully and is cited and given every honorable citation in the gift of the Government for heroism, yet his people are turned down by the representatives of the people because he d'd not go through the technical formality of designating his father and mother as dependents.

In conclusion, ladies and gentlemen of the House, I want to quote the language of Hon. James B. Wilson, a distinguished member of the Constitutional Convention, who was later appointed by President Washington to the Supreme Court of the United States. This distinguished jurist points out clearly the obligation of the Government toward its citizens and fixes the responsibility of the legislator in acting impartially and generously in discharging any just claim that a citizen may have against his government.

I quote:

The citizen has rights as well as duties; the latter he is obliged to perform, the former he is entitled to enjoy or recover. To that original contract of association to which \* \* an appeal must so often be made, he is a party, nay, in point of rights, a party, voluntary, independent, equal. On one side, indeed, there stands a single individual; on the other side, perhaps, there stand millions. But right is weighed by principle. From the necessity of the case, if a controversy arises between the parties to the social agreement, the numbers, or a selection from the numbers, must be the judges as well as one of the parties. But because those of one party must from the necessity of the peculiar case be the judges likewise, does it follow that they are absolved from that strict obligation by which every judge is sacredly bound to administer impartial justice?

Does it follow that they may, with avidity, listen to all the interested suggestions, the advice of which a party would pursue? When the same person is and must be both judge and party the character of the judge ought not to be sunk in that of the party; but the character of the party should be exalted to that of the judge.

When questions—especially pecuniary questions—arise between a State and a citizen, more especially still, when those questions are, as they generally must be, submitted to the decision of those who are not only parties and judges but legislators also; the sacred impartiality of the second character, it must be owned, is too frequently lost in the sordid interestedness of the first, and in the arrogant power of the third. This, I repeat it, is tyranny; and tyranny, though it may be more formidable and more oppressive, is neither less odious, nor less unjustneither less dishonorable to the character of one party, nor less hostile to the rights of the other, because it is proudly prefaced by the epithet-legislative. He who refuses the payment of an honest demand upon the public, because it is in his power to refuse it, would refuse the payment of his private debt, if he was equally protected in the refusal. He who robs as a legislator, because he dares, would rob as a highwayman—if he dared. And are the public gainers by this? Even if they were, it would be no consideration. The paltry gain would be but as dust in the balance when weighed against the loss of character; for as the world becomes more enlightened, and as the principles of justice become better understood, States as well as individuals have a character to lose.

The paltry gain, I say, would be but as dust in the balance when weighed against the loss of character, and against the many other pernicious effects which must flow from the example of public injustice. But the truth is, that the public must be losers instead of being gainers by a conduct of this kind. The mouth which would not utter the sentiments of truth in favor of an honest demand, may be easily taught to repeat the lessons of falsehood in favor of an unjust one. To refuse fair claims is to encourage fraudulent ones upon the commonwealth. Little logic is required to show that the same vicious principles and dispositions which oppose the former, will exert their selfish or their worse than selfish influence to support the latter.

The regular order was demanded.

Mr. PATTERSON. Mr. Speaker, I ask unanimous consent that this bill go over.

The SPEAKER. Objection is heard.

H. H. LEE

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 718 (H. R. 7339), a bill for the relief of H. H. Lee.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to return to Calendar 718 (H. R. 7339). Is there objection?

There was no objection.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the

Shearer had but two or three days of his term to serve when the | Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$233.75 to H. H. Lee as reimbursement for loss by fire to his own property while assigned to protection of Government holdings during the Half Moon forest fire in Glacier National Park.

Mr. BACHMANN. Mr. Speaker, I offer an amendment. The SPEAKER. The gentleman from West Virginia offers

an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BACHMANN: Page 1, line 5, after the word "settlement," insert " of all claims."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### MINNEAPOLIS STEEL & MACHINERY CO. AND OTHERS

Mr. ANDRESEN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 587 (H. R. 7874), to provide for carrying out of the award of the National War Labor Board of April 11, 1919, and the decision of the Secretary of War of date November 30, 1920, in favor of certain employees of the Minneapolis Steel & Machinery Co., Minneapolis, Minn.; of the St. Paul Foundry Co., St. Paul, Minn.; of the American Hoist & Derrick Co., St. Paul, Minn.; and of the Twin City Forge & Foundry

Co., Stillwater, Minn.

The SPEAKER. Is there objection to the request of the gen-

tleman from Minnesota?

Mr. STAFFORD. Mr. Speaker, I object.

#### HANDICAPPED CHILDREN IN THE SCHOOLS

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the care of handicapped children in schools.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection,

Mr. McLEOD. Mr. Speaker, the Department of the Interior maintains a division of special problems in the Bureau of Education which makes a continuous study of new developments in the education of handicapped children. Katherine M. Cook, chief of the above-mentioned division, has just issued a report on the schools of Detroit, in which she states that special facilities for children of whatever handicap are provided by the schools of Detroit. Her report describes the methods and equipment used in the education of crippled children in the Detroit schools, and her conclusion is that many of the provisions she describes might well be offered as valuable sugges-tions to other communities. Therefore I ask unanimous consent that a portion of this report be printed in the Congressional RECORD.

The report is as follows:

Among the most interesting of the provisions for special education in Detroit is that for crippled children. There are two separate schools for the education of the crippled, each with an enrollment of above 250, special centers in six elementary schools, in the convalescent home and hospitals, and itinerant teachers for those who are unable to leave home. Seven hundred and thirteen children are enrolled in the classes and schools for crippled children, 35 teachers and principals are engaged in the work, and a supervising principal is in charge. One of the special schools, a 2-story building provided with a large roof playground, rest room, inclined planes, and an elevator facilitating ease of moving from one floor to another, was built in 1919. The other, a commodious and attractive 1-story building, was completed in the fall of 1929. This building represents the most recent research relative to the care and training of crippled children. It is of the hollow-square type and contains in addition to the usual classrooms, auditorium, dining room, etc., a clinical unit, including helio and physiotherapy rooms, a plaster and X-ray room, rooms for doctors and nurses, a dental clinic, and an infirmary.

On three sides of the building classrooms open upon wide terraces, providing open-air, play, and recreation places for children who use wheel chairs particularly. Windows are so placed and constructed as to furnish facilities similar to those in most open-air rooms. Corridors are particularly wide to permit free passage of wheel chairs and of children using crutches and other appliances, and there are full-length mirrors at either end of each corridor. These are provided in the hope of improving the posture and locomotion of the children. All children arrive and depart in busses, and attendants are provided to assist the badly crippled as necessity demands.

Children are admitted to the schools for crippled following examination and recommendation by an orthopedic surgeon appointed by the board of health. Any crippled child who needs the facilities of a special school is eligible. Children not under the care of a private physician receive the necessary physical treatment at the school under the direction of school physicians. Not only special apparatus, but personnel for physical training, corrective gymnasium work, and various forms of physiotherapy, are provided in addition to the academic and industrial The school follows the courses of study followed in the regular elementary schools. The children may, therefore, if physically able, return to these schools at any time without loss so far as progress in academic work is concerned. Children who finish the grades and wish to attend high school may do so. At least one technical high school is provided with elevators large enough to accommodate wheel chairs. Transportation is provided in the same way-sometimes in the same vehicles—as to the special elementary schools.

The Detroit system maintains, also, a separate school for the deaf and for those with seriously defective hearing. It is said to be the second largest school of its kind in the United States, its enrollment being exceeded only by a similar school in New York City. Two hundred and eighty-four children were enrolled during the school year 1928-29. The school is provided with a clinic in which an ear specialist examines the ears and tests the hearing to determine the degree of the handicap. A dental clinic is also maintained in the school,

Classrooms for academic work are well lighted by both artificial light and daylight. This is believed particularly essential. They are planned to accommodate classes of 10 pupils each. Classes in lip reading for the hard of hearing are slightly larger, running as high as 12 to 18 pupils.

Among the interesting special features of the school is an acoustic unit supplied with a grand piano, where considerable attention is given to development of the rhythmic sense. Pupils develop a keen sense of touch and rhythm which is helpful in the production and control of the voice in speech. There is also an audition room. Here the speaker or teacher talks into a microphone. Through individual head phones his amplified voice reaches the children who are partially deaf. Many children formerly believed to be totally deaf are able to hear through this type of equipment.

Pupils are taught to speak, and by watching the speaker's lips to understand the speech of others. It is important that children enter the school for the deaf at an early age, since the voice is best trained and speech habits best formed while children are still young. Besides the special features necessary for training of the deaf and hard of hearing, pupils are taught the regular studies of the elementary school, After completing work of the eighth grade they are admitted to high school and later to college.

Of unusual interest, also, are the Braille and sight-saving classes. The work began in 1912 with the establishment of one class for the blind, having a membership of six children. Braille classes are now maintained in three elementary schools. The class membership is 33. The general plan is to divide the children into two groups-the younger children who have not yet learned to read and write, and the older ones who are enrolled in a study or home room where their lessons are prepared. As soon as young children have achieved necessary skill in fundamentals of the tool subjects, they enter regular classes to recite with the normally sighted children. The teacher in charge of the Braile room provides special help to blind children in the preparation of their lessons for the regular classroom work. The work is almost wholly individual and classes necessarily small. There is a class of high-school students in the Northern High School where both Braille and sight-saving pupils are accommodated.

## VETERANS' LEGISLATION

Mr. LUCE. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House, out of order, for two

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LUCE. In the matter of veterans' legislation, it may be useful at this juncture for Members to have at command the essential dates when pensions were granted after the wars in which the United States was engaged prior to the World War.

WAR OF THE REVOLUTION (OFFICIALLY ENDED 1783)

1789: Invalid pensions as provided theretofore by the States continued.

1806: Invalid pensions for known wounds; rate as "found just and proper by testimony adduced," full pension to be onehalf monthly pay of commissioned officers, others \$5 a month.

1818: Dependency pensions (reduced circumstances)—commissioned officers, \$20 a month; noncommissioned and privates,

1832: Service pensions. Same rates. 1836: Widows, at rate husband received.

WAR OF 1812 (OFFICIALLY ENDED 1815)

1871: Service pensions and widows, \$8 a month.

INDIAN WARS, 1832-1842

1892: Service pensions and widows, \$8 a month.

WAR WITH MEXICO, 1848

1887: Service pensions and widows, \$8 a month, disability or dependency presumed on reaching age 62.

1862: Invalid pensions, for disability due to service. Rate according to rank, \$8 to \$30, total disability. Same rate to widows and children.

1864: Beginning of change of rate basis to nature and extent of disability.

1890: Service pensions for survivors suffering from a permanent disability incapacitating for manual labor. Rate, \$6 to \$12 a month, according to degree of inability to earn support. Pension to widows and minors, cause of death not material; to widow, \$8 a month, with \$2 for each child under 16.

1907: Age pensions to survivors 62 years old or more, from \$12 to \$20 a month, according to age.

WAR WITH SPAIN, PHILIPPINE INSURRECTION, BOXER REBELLION CAMPAIGN,

1918: Widows of limited income and without means of support, \$12 a month, and \$2 for each child under 16 years of age.

1920: Survivors, permanently disabled to extent of incapacity to earn support by manual labor. Rates, \$12 to \$30 a month, according to degree of such incapacity. Age pensions, 62 years or more, \$18 to \$30 a month, according to age.

Also it is to be noted the general law of 1836 providing pensions for widows and children of officers or privates of the militia or volunteer service who might die as a result of wounds.

It is to be observed that pensions for widows were not provided until more than half a century after the Revolutionary War, and that a still longer period elapsed after the War of 1812 before provision for widows of its veterans. In the case of the Indian wars and the Mexican War the period was about half a century. The widows' pensions in the Civil War period went to what we now speak of as service-connected cases. in what we call nonservice-connected cases came 25 years after the Civil War.

After the war with Spain, the Philippine insurrection, and the Boxer rebellion, 16 years passed before the general pro-vision for widows that included non-service-connected cases, and this was restricted to those of limited income and without means of support.

These lapses of time may be explained by the supposition that advancing age was deemed a factor to be taken into account in all pension legislation, as distinguished from what we have come to speak of as "compensation." The passing years lessen capacity for self-support. If pensions are properly neither compensation nor reward but contribution toward support, then it may be argued that any general law should pay regard to

## HENRY A. RICHMOND

Mr. O'CONNELL. Mr. Speaker, I ask unanimous consent to return to Calendar No. 548 (H. R. 5801) a bill for the relief of Henry A. Richmond.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. ANDRESEN. Reserving the right to object.
Mr. BACHMANN. Reserving the right to object, what is this bill?

Mr. O'CONNELL. This is a bill with reference to a bond similar to a bill that was passed a short time ago. has been apprehended, and everything is all right.

The SPEAKER. Is there objection? There was no objection.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry A. Richmond the sum of \$500 in compensation for bond forfeited for John A. Golding, now within the jurisdiction of the Federal authorities.

The bill was ordered to be engrossed and read a third time,

was read the third time, and passed.

A motion to reconsider was laid on the table.

# ORANGE CAR & STEEL CO.

Mr. BOX. Mr. Speaker, I ask unanimous consent to return to Calendar No. 474, which is behind the star (H. R. 8169),

for the relief of the Orange Car & Steel Co., of Orange, Tex., successor to the Southern Dry Dock & Ship Building Co.

The SPEAKER. Is there any objection to the request of the gentleman from Texas?

Mr. BACHMANN. Reserving the right to object, what is

Mr. BOX. This is a bill which was passed over some weeks ago, and the gentleman from Wisconsin [Mr. Stafford] asked that the bill go over at that time.

Mr. BACHMANN. What is the nature of the bill?

Mr. BOX. It is a bill to permit suit in the Court of Claims on the claim set out in the bill.

Mr. BACHMANN. I have no objection.

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, it was my objection which caused this bill to be passed over recently. In the press of my heavy work I have not had time to study it as I wish to do, and for the time being I shall have to object.

Mr. BOX. Will the gentleman withhold his objection for a

moment?

Mr. STAFFORD. I will be glad to.

Mr. BOX. I want to call attention to the nature of this bill. The gentleman from Wisconsin understood that in this case the original contract had been canceled at the instance of the claimant, but it was canceled at the instance of the Government, as shown by the report. The gentleman will find that on page 27 of the report, as follows:

Whereas it was desirable in the public interest to suspend operations under said contract No. 456 and to that end said party, at the request and direction of said Fleet Corporation, suspended operations.

And then when the matter was being readjusted later, the gentleman will find that very element that at the instance and request of the Government the contract had been superseded, this stipulation was inserted. I read from the report on page 28, stating the matters covered:

Except only the right, if any it has-

That is the claimant-

to prosecute its alleged claim for amortization, dredging, and removal of outboard ways,

And so on, describing the claim covered by this bill, naming the amount and nature of it, this very claim. In other words, the first contract was canceled at the request of the Government, in the public interest, and the claimant was instructed to desist. If that contract had not been surrendered by the claimant and its rights under it had been respected, it would not have suffered this loss-certainly nothing like all of it. Then when the adjustment was made, it was specially stipulated that this claimant should have the right to press this very claim. The claimant has since been seeking diligently for that privilege, and is here for that purpose, only asking that the Court of Claims pass on that demand, thus created and preserved, on its merits. That is all this bill provides.

Mr. STAFFORD. Mr. Speaker, this is a claim involving points. Prior to its last consideration I had given thoughtful study and consideration to it, but since that time I have not found an opportunity to go into it at length which the claim deserves. I hope to do so in the near future, and certainly sometime during the next session.

I object for the time being.

# PATRICK J. MULKAREN

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill (S. 4070) for the

relief of Patrick J. Mulkaren, as amended by the House committee, Private Calendar No. 959.

Mr. STAFFORD. Mr. Speaker, I will have to object, because I have not the bill before me; and though I have examined the bill, there are certain provisions in it about which I wish to make some suggestions. For the time being, I object.

## WILLIAM R. NOLAN

The next business on the Private Calendar was the bill (H. R. 11112) for the relief of William R. Nolan.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present considera-

tion of the bill?

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman who introduced the bill if he has any objection to an amendment striking out the last line of the bill and also inserting, in line 6, an amendment making the bill include all claims against the Government?

Mr. CHRISTGAU. I have no objection to that.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$613.75 to William R. Nolan for pay and allowance for the period from January 29, 1926, to April 14, 1926, the same being the pay and allowance of his rank during the period that he was receiving treatment from a specialist as a result of an accident in line of duty and denied him because of technical construction of the law.

Mr. BACHMANN. Mr. Speaker, I offer an amendment, in line 5, after the word "settlement" insert "of all claims."

The SPEAKER. The gentleman from West Virginia offers an amendment which the clerk will report,

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: Line 5, after the word "settlement" insert the words "of all claims."

The amendment was agreed to.

Mr. BACHMANN. Mr. Speaker, I offer another amendment, in line 11, after the word "duty" strike out the rest of the paragraph.

The SPEAKER. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: Beginning in line 11 with the comma, after the word "duty" strike out the remainder of the

Mr. BACHMANN. Mr. Speaker, I move to strike out the last word and I would like to ask the gentleman from Connecticut [Mr. Tilson] about the agreement with respect to the Private Calendar. It was agreed that all bills on the Private Calendar reported out before June 2 would be considered before adjournment. We have now reached Calendar No. 749 and if we are to go according to the agreement, that will take us up to 871 on the Private Calendar. I wanted to inquire of the gentleman from Connecticut whether it is his intention to go through the rest of the bills.

Mr. TILSON. Not to-night, of course, but it was the intention to give an opportunity for the consideration of all bills to

be called that were reported up to June 2.

Mr. GARNER. Both on the Consent Calendar and the Private Calendar?

Mr. TILSON. We have already reached that stage on the Consent Calendar.

Mr. STAFFORD. We have completed the call of every bill on the Consent Calendar.

Mr. BACHMANN. And before adjournment it is the expectation to call the bills referred to on the Private Calendar?

Mr. TILSON. That is what we hope to do.

Mr. GARNER. Let me ask the gentleman a question. pose the House adjourns next Tuesday, when is the gentleman going through with these bills?

Mr. TILSON. If we knew that we were going to adjourn next Tuesday, we should have a session Monday night for that purpose, because I intend to make good on my statement, if possible.

Mr. GARNER. I am asking that question because there is a disposition among certain gentlemen who are supposed to be in authority that adjournment next Tuesday may not be impossible.

Mr. TILSON. If so, we shall certainly go forward with this calendar, if I am able to accomplish it.

Mr. MOORE of Virginia. May I inquire whether the gentle-man expects to proceed with the Consent Calendar Monday?

Mr. TILSON. Every day is Consent Calendar day now under the rule adopted.

Mr. MOORE of Virginia. I only had in mind whether Monday is a special day.

Mr. TILSON. No; next Monday is not a special day. Mr. BRIGGS. If the gentleman will permit, on the Private Calendar, does the gentleman expect to go back of the star and start reading the calendar again this session?

Mr. TILSON. We have not yet called all the bills reported prior to June 1. I should like to first fulfill one promise before making another.

Mr. BRIGGS. I think they should go together myself.

Mr. HASTINGS. Will the gentleman from Connecticut permit me to say with reference to the Consent Calendar that there are some bills behind the star that were not objected to, but gentlemen asked permission to have them go over without prejudice in order that they might give them some further study. We think we ought to have an opportunity to have those bills

Mr. TILSON.

Mr. TILSON. I agree with the gentleman.
Mr. GREENWOOD. If the gentleman will yield, if we carry out the program as laid down by the leader, it will take all the spare time we have this week and next week to get through with the regular numbers ahead of us. Is there anything else proposed for Monday?

Mr. TILSON. Nothing; only rules and suspensions.

And the unfinished business of yesterday. Mr. BLANTON. Mr. TILSON. Yes; that rule was passed yesterday, and there are two hours of general debate on the bill.

Mr. GARNER. Is the gentleman going to adjourn over until Monday?

Mr. TILSON. Oh, no, indeed.
Mr. GARNER. What is going to be done to-morrow?
Mr. TILSON. To-morrow there is a rule for one of the copyright bills, also a suspension for another copyright bill, and possibly other suspensions. There are two copyright bills to be considered.

Mr. STAFFORD. What about the border patrol bill that seems to be dangling in the air?

Mr. TILSON. It goes over until Monday to suit the con-

venience of certain Members.

I would like to ask the gentleman why it is they do not publish the index to the calendar now. It is nearing the end of the session and when we look for certain bills we can not find them on the calendar. There is no index published except on Monday.

Mr. TILSON. It will be published on next Monday.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### SHELDON B. PURDY

The next business on the Private Calendar was the bill (S. 1045) for the relief of Sheldon R. Purdy.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?
Mr. STAFFORD. I object.
Mr. EATON of Colorado. Will the gentleman withhold his objection? This bill has been passed by the Senate.

Mr. STAFFORD. I will reserve the objection.
Mr. BLANTON. Let me ask the gentleman from Colorado one question. Does the gentleman think it a wise policy for this Government to pay a reward to any Government em-ployee for doing his duty? This man merely did his duty,

and he now wants the Government to reward him.

Mr. EATON of Colorado. In the first place the policy of the Post Office Department, since 1920, has been to pay re-wards to men in its department for doing things much less than this man did. This man is the king of all the employees in this respect. He has made more than a million dollars for the Government. Since 1920 up to 1927 the figures shows that he saved the Government over \$600,000; or to say it another way, as a result of his persistent effort the returns to the Government, for the years 1921 and 1927, inclusive, were \$636,447. In 1929 the amount was \$80,034.06. I have not the figures for 1928.

For more than 35 years Mr. Purdy was a faithful employee of the Denver post office, working most of the time as a letter carrier. Notwithstanding his subordinate position he took a great interest in the improvement of service to the public, and has been the means of bringing about important changes which have produced revenue to the Government and have saved much valuable time spent in Government work.

The most important of these reforms was in the handling of dead letters returned to senders. Year after year he continued presenting his subject; for a long time the department failed to approve his suggestions, but ultimately, as a result of his efforts, in the act of April 24, 1920, a fee was provided by law to be collected when letters are returned from the dead letter office to

About the same time, and following the same tactics, he interested Members of Congress and department officials in the directory service to 200,000,000 letters annually which cost the Government \$1,740,000 and necessary work and carrier hire. Finally, his suggestion was approved that the return of such letters would require the sender to correct his own mistake, furnish another envelope and 2-cent stamp, and make proper changes in his mailing list. Through the persistence of Mr. Purdy, the department finally issued general orders dated March 21, 1923, to carry out this suggestion. The beneficial results are well known.

He also formulated a plan in 1921, which resulted in the adoption of an order found in Postal Bulletin dated September 1, 1923, concerning furnishing of information to business and civic organizations.

Notwithstanding the attitude of these gentlemen who indicate their wish to object, Mr. Purdy is the postal employee who is responsible for those ideals, and is entitled to credit accordingly.

I am informed that for the last six or seven years the Post Office Department has recognized the advisability of encouraging men in subordinate positions making suggestions for the

betterment of the Post Office service by paying rewards. Inquiry elicits the information that from \$1,500 to \$5,000 has been paid annually for this purpose. The last Post Office Department appropriation bill carried an amount, which I think was \$3,500 to be thus used. Considering the money this man has made for the department, it seems to me that the Government ought to pay him this reward-not for doing his duty but for those things he did in addition to his duty, and for which the Post Office Department for several years has now considered it a wise policy to pay such rewards. I sincerely trust that the gentlemen will withhold their objection.

Mr. STAFFORD. Oh, there have been hundreds of post office employees suggesting improvements, the result of which has made millions of dollars to the Government, and yet they

have not received anything. I object.

#### A. N. ROSS

The next business on the Private Calendar was the bill (H. R. 2083) for the relief of A. N. Ross.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?
Mr. BACHMANN. Reserving the right to object, this is a rather complicated matter and I do not see in the report any statement by the Comptroller General as to why this claim was disallowed. I would like to know why the Government should

reimburse this man.

Mr. GOODWIN. I have not the report of the Comptroller General, and I ask unanimous consent that the bill may go over

without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

#### HALVOR H. GROVEN

The next business on the Private Calendar was the bill (H. R. 3426) for the relief of Halvor H. Groven.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to credit the account of Halvor H. Groven, late postmaster at Norheim, Mont., in the sum of \$829, such sum representing the deficit in the account of the said Halvor H. Groven, caused by fire to the post office on January 2, 1928, and for which casualty the said Halvor H. Groven was in no way responsible.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

## ANDREW J. BROWN

The next business on the Private Calendar was the bill (H. R. 9872) to extend the benefits of the employees' compensation act of September 7, 1916, to Andrew J. Brown, a former rural mail carrier at Erwin, Tenn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission shall be, and it is hereby, authorized and directed to extend to Andrew J. Brown, a former rural mail carrier at Erwin, Tenn., the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7,

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to—Mr. Gibson, for Saturday, June 28, on account of business. Mr. Edwards, at the request of Mr. Crisp, indefinitely, on

account of personal illness.

Mr. WAINWRIGHT, indefinitely, on account of serious illness in his family.

## SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 1214. An act granting compensation to Philip R. Roby; to the Committee on War Claims.

S. 1603. An act to provide for the exchange of lands of the United States in the Philippine Islands for lands of the Philippine government; to the Committee on Military Affairs.

S. 4149. An act to add certain lands to the Ashley National Forest in the State of Wyoming; to the Committee on the Public Lands.

S. 4248. An act authorizing the Secretary of War to convey the Fort Griswold tract to the State of Connecticut; to the Committee on Military Affairs.

S. 4435. An act for the relief of James Williamson and those claiming under or through him; to the Committee on the Public

S. 4665. An act extending the times for commencing and completing the construction of a bridge across the Ohio River at Sistersville, Tyler County, W. Va.; to the Committee on Interstate and Foreign Commerce.

S. 4683. An act to authorize the sale of all of the right, title, interest, and estate of the United States of America in and to certain lands in the State of Michigan; to the Committee on

Military Affairs. S. 4708. An act to amend the act entitled "An act providing for a study regarding the construction of a highway to connect the northwestern part of the United States with British Columbia, Yukon Territory, and Alaska in cooperation with the Dominion of Canada," approved May 15, 1930; to the Committee on Roads.

S. 4735. An act to increase the salary of the Commissioner of Customs; to the Committee on Ways and Means.

#### ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles,

which were thereupon signed by the Speaker:

H. R. 2156. An act authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund, and for the repeal of Public Law No. 542 (H. R. 12479), Seventieth Congress;

H. R. 3592. An act to further amend section 37 of the national defense act of June 4, 1920, as amended by section 2 of the act of September 22, 1922, so as to more clearly define the status of reserve officers not on active duty or on active duty for

training only

H. R. 4206. An act authorizing the Secretary of the Navy, in his discretion, to loan to the city of Olympia, State of Washington, the silver service set formerly in use on the United States cruiser Oylmpia;

H. R. 9408. An act to amend the act of March 3, 1917, an act making appropriations for the general expenses of the District

of Columbia;

1927: and

H. R. 9638. An act to establish a branch home of the National Home for Disabled Volunteer Soldiers in one of the Northwest Pacific States:

H. R. 10490. An act for the relief of Flossie R. Blair; H. R. 11409. An act to authorize the erection of a tablet in the Fort Sumter Military Reservation to the memory of the garrison at Fort Sumter during the siege of 1861;

H. R. 11729. An act to legalize a pier and wharf at the

southerly end of Port Jefferson Harbor, N. Y.;
H. R. 12285. An act to authorize the Postmaster General to purchase motor-truck parts from the truck manufacturer; H. R. 12599. An act to amend section 16 of the radio act of

H. R. 12967. An act granting certain land to the city of Dun-

kirk, Chautauqua County, N. Y., for street purposes.

The SPEAKER announced his signature to an enrolled bill of

the Senate of the following title:

S. 2189. An act for the relief of certain homestead entrymen in the State of Wyoming.

# BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 2156. An act authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund, and for the repeal of Public

Law No. 542 (H. R. 12479) Seventieth Congress; and H. R. 12343. An act to authorize the Secretary of An act to authorize the Secretary of the Treasury to accept donations of sites for public buildings.

# THE LATE REPRESENTATIVE PORTER

Mr. DARROW. Mr. Speaker, it is a sad and painful duty for me to announce to the House the death of our colleague, Hon. Stephen G. Porter, late a Representative from the thirty-second district of Pennsylvania, dean of the Pennsylvania delegation and chairman of the Committee on Foreign Affairs,

which occurred early to-day in the Allegheny General Hospital at Pittsburgh. Further than to say that Mr. Porter had a long and most distinguished career in public service, I shall not at this time attempt to eulogize his good and outstanding qualities of which all of us are aware, inasmuch as a more fitting and appropriate tribute will be paid to him at a memorial service to be held later.

At this time I offer the following resolutions, which I send to the desk and ask to have read.

The Clerk read as follows:

#### House Resolution 278

Resolved, That the House has heard with profound sorrow of the death of Hon. STEPHEN GEYER PORTER, a Representative from the State of Pennsylvania.

Resolved, That a committee of 20 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER appointed the following committee: Messrs. George S. Graham, of Pennsylvania; Edgar R. Kiess, of Pennsylvania; Henry W. Temple, of Pennsylvania; Clyde Kelly, of Pennsylvania; Guy E. Campbell, of Pennsylvania; Nathan L. Strong, of Pennsylvania; Milton W. Shreve, of Pennsylvania; Hamilton Fish, Jr., of New York; Samuel A. Kendall, of Pennsylvania; Cyrenus Cole, of Iowa; Adam M. Wyant, of Pennsylvania; Edward M. Beers, of Pennsylvania: Thomas C. COCHRAN, of Pennsylvania; HARRY A. ESTEP, of Pennsylvania; J. Russell Leech, of Pennsylvania; J. Howard Swick, of Pennsylvania; J. Howard Swick, of Pennsylvania; sylvania; Patrick J. Sullivan, of Pennsylvania; J. Charles Linthicum, of Maryland; R. Walton Moore, of Virginia; and David J. O'Connell, of New York.

The SPEAKER. The Clerk will resume the reading of the

resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect, this House do now adjourn.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

## ADJOURNMENT

Accordingly (at 4 o'clock and 46 minutes p. m.), pursuant to the resolution just adopted, the House adjourned until to-morrow, Saturday, June 28, 1930, at 12 o'clock noon.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McSWAIN: Committee on Military Affairs. H. R. 12870. A bill to authorize the sale of all of the right, title, interest, and estate of the United States of America in and to certain lands in the State of Michigan; with amendment (Rept. No. 2039). Referred to the Committee of the Whole House.

Mr. HANCOCK: Committee on Naval Affairs. H. R. 6145. A bill to regulate the minimum age limit for enlistments in the Naval Reserve or Marine Corps Reserve; without amendment (Rept. No. 2040). Referred to the House Calendar.

Mr. PURNELL: Committee on Rules. H. Con. Concurrent resolution providing for the creation of a joint committee to study procedure in impeachment cases; without amendment (Rept. No. 2037). Referred to the House Calendar.

Mr. PERKINS: Committee on Accounts. H. Res. 275. Resolution that there shall be paid, out of the contingent fund of the House, not to exceed \$10,000 for the expenses of the select committee appointed under House Resolution 258 to investigate campaign expenditures of the various candidates for the House

of Representatives (Rept. No. 2038).

Mr. PURNELL: Committee on Rules. H. Res. 277. Resolution providing for the consideration of S. 2498, an act to promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes; without amendment (Rept. No. 2036). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McMILLAN: A bill (H. R. 13189) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs

By Mr. GARBER of Oklahoma: A bill (H. R. 13190) to establish the Wichita Mountains National Park of Oklahoma, in the State of Oklahoma; to the Committee on the Public Lands.

By Mr. EATON of Colorado: A bill (H. R. 13191) authorizing the Secretary of the Interior to issue certain patents; to the Committee on the Public Lands.

By Mr. JOHNSON of Washington: A bill (H. R. 13192) to provide for the use of the United States ship Olympia as a memorial to the men and women who served the United States in the war with Spain: to the Committee on Naval Affairs.

Also, a bill (H. R. 13193) providing for the purchase of a site and erection of a public building at Aberdeen, Wash.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13194) providing for the purchase of a site and erection of a public building at Vancouver, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. WOOD: Joint resolution (H. J. Res. 389) making appropriations for the pay of pages for the Senate and House of Representatives until the end of the second session of the Seventy-first Congress; to the Committee on Appropriations.

By Mr. BEERS: Concurrent resolution (H. Con. Res. 42) to print, with accompanying illustrations, the proceedings upon the unveiling in Meridian Hill Park, Washington, D. C., on June 26, 1930, upon the acceptance of the statue of James Buchanan, fifteenth President of the United States; to the Committee on Printing.

# PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN: A bill (H. R. 13195) granting an increase of pension to Mary A. Henriques; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13196) granting an increase of pension to Angeline Staples; to the Committee on Invalid Pensions.

By Mr. ARENTZ: A bill (H. R. 13197) granting a pension to John M. Thomas; to the Committee on Pensions.

Also, a bill (H. R. 13198) granting a pension to Sarah Perkins; to the Committee on Pensions.

Also, a bill (H. R. 13199) granting a pension to William A. Perkins: to the Committee on Pensions.

By Mr. BURDICK: A bill (H. R. 13200) granting an increase of pension to Phebe E. Pray; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 13201) granting a pension to Christian F. Burke; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 13202) granting an increase of pension to William M. Hopper; to the Committee on Invalid Pensions.

By Mr. GOLDER: A bill (H. R. 13203) granting a pension to Josephine Shaw Cribb; to the Committee on Invalid Pensions. By Mr. GUYER: A bill (H. R. 13204) granting an increase of

pension to Sarah A. Dunlap; to the Committee on Invalid Pen-

Also, a bill (H. R. 13205) granting an increase of pension to Ruth Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13206) granting an increase of pension to Sallie Marple; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13207) granting a pension to Mary J. to the Committee on Invalid Pensions.

By Mr. HANCOCK: A bill (H. R. 13208) granting an increase of pension to Jennie V. Myers; to the Committee on Invalid Pensions.

By Mr. HESS: A bill (H. R. 13209) granting an increase of ension to Mary C. Harbrecht; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 13210) granting an increase of pension to Laura Harnois; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13211) granting a pension to Reuben B. F. Arnold; to the Committee on Invalid Pensions.

By Mr. JOHNSON of South Dakota: A bill (H. R. 13212) to reimburse the commissioners on uniform State laws; to the Committee on Claims.

By Mr. JOHNSON of Washington: A bill (H. R. 13213) granting a pension to Mary Miller; to the Committee on Invalid

By Mr. JONAS of North Carolina: A bill (H. R. 13214) granting a pension to Alzana Isaacs; to the Committee on Invalid Pensions.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 13215) granting an increase of pension to Mary A. Harvey; to the Committee on Invalid Pensions.

By Mr. MOORE of Kentucky: A bill (H. R. 13216) granting pension to Jasper Y. Willoughby; to the Committee on Pen-

By Mr. MOORE of Ohio: A bill (H. R. 13217) granting a pension to Arminta A. Schaub; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 13218) granting an increase of pension to Rachel J. Atkinson; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 13219) granting a pension to Martha J. Blanchard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13220) granting an increase of pension to

Harry W. Weston; to the Committee on Pensions. By Mr. WAINWRIGHT: A bill (H. R. 13221) for the relief of Zinsser & Co.; to the Committee on Military Affairs,

## SENATE

# SATURDAY, June 28, 1930

Rev. James W. Morris, D. D., assistant rector, Church of the Epiphany, city of Washington, offered the following prayer:

Almighty and Most High God, in whose hand our breath is and whose are all our ways, make us, we pray Thee, to perceive and know that our good gifts come from Thee and that their continuance to us is of Thy gracious providence.

Keep our Nation from all things hurtful to the high calling wherewith Thou hast called it or to the sacred trust for the

world by Thee committed to it.

Grant that as wealth and power and greatness increase, humility of mind may likewise increase among us and a deeper knowledge vouchsafed to us that all our gifts must be held for the good of Thy kingdom in the world.

We ask these things in the name of Jesus Christ our Lord.

Amen.

## THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Fess and by unanimous consent, the further reading was dispensed with and the Journal was approved.

# VOLLBEHR COLLECTION OF INCUNABULA-CORRECTION

Mr. JONES. Mr. President, on yesterday an amendment was submitted to the deficiency appropriation bill by the Senator from Connecticut [Mr. BINGHAM] with reference to the Vollbehr collection of incunabula. When it was introduced, I think I made the statement that it had been estimated for by the Budget. I made a mistake in that. It had not been sent down by the Budget as a matter of fact. The bill is pending in both Houses and has not yet been signed by the President. I think I ought to make that correction, because in the rush of business yesterday I made the statement that it had been sent down by the Budget.

JUDGMENT AGAINST THE GOVERNMENT BY DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK (S. DOC. NO. 206)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, record of a judgment rendered against the Government by the United States District Court for the Eastern District of New York, as submitted by the Attorney General through the Secretary of the Treasury under the War Department, \$43,652.13, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PAYMENT OF LOSSES OF GOVERNMENT FUNDS AND PERSONAL PROP-ERTY SUFFERED BY PERSONS IN THE FOREIGN SERVICES (S. DOC. NO. 207)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriations for the Department of State, amounting to \$130,631.80, for the payment of losses of Government funds and/or personal property suffered by persons in the Foreign Services of the Department of State and the Department of Commerce, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.